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THE EARLY CAREER OF LORD BROUGHAM

SOME OF HIS CONTEMPORARIES

AT the time of the birth of the first Lord Brougham and Vaux, September 19, 1778, the city of New York was virtually a garrison town, and predatory expeditions were being sent into the country in various directions by its British commander, distressing and exasperating the inhabitants, and widening the chasm between England and America.

Before the precocious lad was ten years old the Revolutionary War had deprived England of her American colonies, and a new and wonderfully interesting nation, fully equipped with a government of its own, had taken its place triumphantly in the annals of the world. Henry Brougham was captivated with the story of Washington's successes, and final elevation to the Presidency of the United States, which was the absorbing topic of the years 1789 and 1790 in all circles of every European country. His school life was varied with much informing reading of a general character, and he thus unconsciously prepared himself for his dazzling career as a man of affairs. In August, 1791, before he was thirteen, he passed with credit the examination necessary for his admission to college, and was dubbed "prodigy"—a questionable, if not dangerous, compliment. At fourteen he entered the University of Edinburgh, and in addition to the study of Greek, under Professor Dalzell, he undertook the natural sciences, under Professor Playfair, devoting his best energies, as far as he was permitted, to mathematics. He hit upon the binomial theorem before he had been taught it, and was soon familiar with the *Principia* of Newton. His memory was naturally good, and with training its strength became so marvelous that he was able, it is said, to carry through life whatever he learned in his school days. With all his fondness for severe studies, however, he was ready at any moment to take active part in the wildest frolics, and was often the ringleader in practical jokes, wrenching knockers, braving the watch, and other pranks which indicate the restless energy of a developing youth. During the first year in the university he founded

a debating society, which grew in interest until it was merged into the "Speculative Society." Here many clever young men tried their powers in disputation, with beneficial results—men who were subsequently in Parliament or on the bench—but in the astonishing flow of language, readiness in retort, grace of elocution, and gifts of withering sarcasm and ridicule, Brougham surpassed them all. The brightest period in the history of this society was during the political storm that crossed it in 1799. Lord Cockburn writes: "Jeffrey took part in every discussion. I doubt if he was ever once silent throughout a whole meeting. It is easy to suppose what it was to Jeffrey when he had to struggle in debate with Lansdowne, Brougham, Kinnaid, and Horner, who, with other worthy competitors, were all in the society at the same time. It has scarcely ever fallen to my lot to hear three better speeches than three I heard in that place—one on 'National Character,' by Jeffrey, one on the 'Immortality of the Soul,' by Horner, and one on the 'Power of Russia,' by Brougham."

Of the remarkable powers possessed by Brougham, oratory was unquestionably the foremost. He himself made this discovery at an age when the average youth is indifferent to his own talents, or but slightly acquainted with them, and he resolutely determined to cultivate the art of public speaking. He subjected his fine musical voice, which was of great compass and strength, to a course of severe training, and his gestures and attitudes were likewise studied with the persistence of an actor. He made himself perfectly conversant with the great masterpieces of ancient eloquence, committing them in numerous instances to memory. His opponents pronounced his oratory artificial; but no other Englishman of his time could, even with artificial oratory, so completely fascinate an audience. His boundless command of language, his audacity in the use of argument, seasoned with a resistless torrent of invective, the exquisite intonations of his voice, and his matchless animation, distinguished him throughout his long career, and particularly in later years, when he was playing a conspicuous part in public affairs, as scholar, scientist, advocate, statesman, and Lord High Chancellor of the realm. He was given to long and intricate sentences, and his hands, in moments of excitement, seemed to interpret them as they rose in accumulated involutions, while his tall, angular figure, swaying and jerking, added immensely to the magnetic effect when his words finally came to a pause, like a retreating army in good order. It was because of his high-sounding declamation that Sydney Smith nicknamed him the "Drum Major." It is said that when he concluded the elaborate peroration of his speech at the queen's trial, he suddenly assumed

the majestic bearing with which a minister of the Scottish church invokes the blessing of God in dismissing his congregation.

Brougham had only just reached his majority when Washington died, and was but twenty-four years of age when he became one of the founders of the *Edinburgh Review*. Lord Jeffrey was twenty-nine, with literary tastes that had hitherto interfered sadly with his progress in the profession



REV. SYDNEY SMITH.

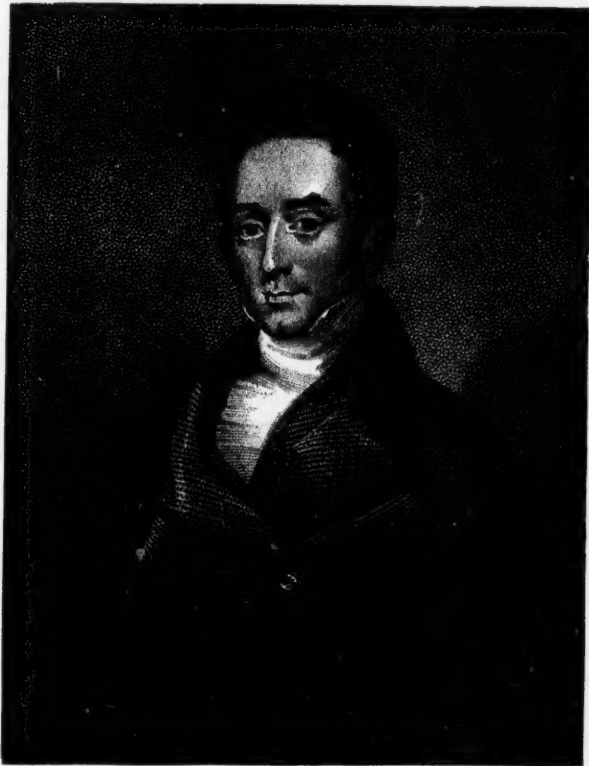
of an advocate. Rev. Sydney Smith, one of the wittiest talkers and political writers of his generation, was the oldest of the three, and yet only thirty-one when the *Review* was projected. Francis Horner, whose contributions added a great deal of sober intellectual strength to the opening number of the new periodical, and commanded marked public attention, was born the same year as Brougham—thus only twenty-four at

the time. It was veritably a group of young men who tried the novel experiment of establishing a critical journal, the success of which is well known to the world.

Lord Brougham says, in his autobiography: "I shall never forget Buccleuch Place, for it was there, one stormy night in March, 1802, that Sydney Smith first announced to me his idea of establishing a critical periodical or review of works of literature and science. I believe he had already mentioned this to Jeffrey and Horner; but that night the project was for the first time seriously discussed by Smith, Jeffrey, and me. I at first entered warmly into Smith's scheme. Jeffrey, by nature always rather timid, was full of doubts and fears. It required all Smith's overpowering vivacity to argue and laugh Jeffrey out of his difficulties. There would be, he (Smith) said, no lack of contributors. There was himself, ready to write any number of articles, and to edit the whole; there was Jeffrey, *facile princeps* in all kinds of literature; there was myself, full of mathematics, and everything relating to the colonies; there was Horner for political economy, Murray for general subjects; besides, might we not, from our great and never-to-be-doubted success, fairly hope to receive help from such leviathans as Playfair, Dugald Stewart, Robison, Thomas Brown, Thomson, and others? All this was irresistible, and Jeffrey could not deny that he had already been the author of many important papers in existing periodicals. The *Review* was thus fairly begun. Yet Jeffrey's inconceivable timidity not only retarded the publication of the first number (which, although projected in March, was not published till October), but he kept prophecy failure in the most disheartening way, and seemed only anxious to be freed from the engagement he and the rest of us had entered into with Constable, to guarantee him four numbers as an experiment. Various other minor obstacles (such as Horner's absence in London and Allen's in Paris) arose, which for a time almost threatened the abandonment of the undertaking; but at length a sufficient number of articles were prepared, to be revised by Smith, and the first number came out early in October. . . . Its success was so great that Jeffrey was utterly dumbfounded, for he had predicted for our journal the fate of the original *Edinburgh Review*, which, born in 1755, died in 1756, having produced two numbers! The truth is, the most sanguine amongst us, even Smith himself, could not have foreseen the greatness of the first triumph any more than we could have imagined the long and successful career the *Review* was to run, or the vast reforms and improvements in all our institutions, social as well as political, it was destined to effect."

The accounts of Lord Jeffrey and Sydney Smith differ somewhat from

the above, but coincide in the essential points. Lord Jeffrey always acknowledged that Sydney Smith was the first to suggest the bold idea of the *Edinburgh Review*; and they all agreed that it was a tempestuous evening when the original discussion took place, and they had no little merriment over the greater storm they were brewing. After the work began in earnest



FRANCIS JEFFREY.

the literary conspirators believed it necessary to conceal their identity, hence they secured a modest place of meeting, to which they repaired singly and by back approaches, or by different lanes. One evening, when a messenger from the printer, with a sealed package of proof, knocked at the door of a small lodging-house, the landlady asked him if he could tell her any-

thing about the lodgers she had got. Her reason for asking, she explained, was, that "they were all decent, well-behaved, sober men; but, although they didn't sleep there, they 'keepit awfu' unseasonable hours'!"

The bright, energetic, decisive little Jeffrey was precisely the right man for the editor's chair. He possessed great breadth of knowledge, unlimited tact, and, although inclined to fits of depression, had an instinctive perception of character which enabled him to handle with ease all sorts of contributors, from the irascible and erratic Brougham to the austere and uncompromising Carlyle. He soon acquired a calm confidence in his own literary and social judgments, which shielded him from many an anxious hour; also the happy art in his own personal writings of brevity without being obscure. He liked explicit statements, and was inclined to resentment when called upon to deal with vague aspirations; with poetry in any form he had no sympathy. Few men knew better than he how to present the pith of an elaborate or bulky book within the narrow limits prescribed by the patience of an indolent reader. During the first seven of the twenty-seven years of his editorship he contributed, on an average, three or four articles to each number of the *Review*, and proved himself an adroit and polished author as well as one of the most able and fearless of critics.

It should be remembered that at the beginning of this century it was generally considered derogatory to a gentleman to write for the press—at least, where payment was expected. Thus, when Jeffrey was offered a salary, he felt that he accepted it at the risk of "general degradation." A few men of genius had long recognized the influence and value of journalism, and bent their energies to its service in defiance of the public opinion of their times. But writers for the press were in a sense despised, had no acknowledged position in society, and their social claims were contemptuously rejected. More than a quarter of a century after the establishment of the *Edinburgh Review* a Lord Chancellor gave offense to his friends by asking the editor of the *Times* to dinner. The complete change that has since taken place in public sentiment can thus be observed, even in Old England, for now the highest personage may offer hospitality to a journalist without involving hostile criticism. Much credit is due to Jeffrey and his associates for this alteration in the condition of things.

The effect of a new journal, so full of public life, suddenly springing into existence in a remote part of the kingdom was electrical. Its spirit, its movements, its strength, and its independence were watched with excited surprise. The writings of Sydney Smith were weighted with wisdom and winged with wit. He attacked abuses of all kinds, and managed to reveal them to the public eye in what he esteemed their true colors. His

vivacity and his humor ran like a golden thread through all his articles, and his style was so clear and crisp, and his illustrations so felicitous, that the reading world was captured, as it were, by storm. He was a man of prejudices, and his judgment was by no means infallible, but he labored in the common cause of liberty and truth in his own peculiar fashion, and often revealed to the multitude about the subject in hand, on one magical page, as much as a regiment of scholars could have explained in a week. His mischievous sallies of wit lighted up, in the most unexpected manner, topics of the driest kind and arguments of the most recondite description. George Ticknor relates that, at a little breakfast party at Sydney Smith's, near the close of his life, he said he never became a contributor to the *Review* on the common business footing. After an article of his had been published he would inclose a bill to Jeffrey, something like this: "Francis Jeffrey, Esq., to Rev. Sydney Smith: To a very wise and witty article," naming the subject, number of sheets, etc., "at forty-five guineas a sheet," and the money always came.

Horner left in his private journal this paragraph: "Jeffrey is the person who will derive most honor from this publication, as his articles are generally known and are incomparably the best." But among all the early writers for the *Review* Brougham was the most ready, the most satirical. He wrote on every imaginable theme—science, politics, America, colonial policy, literature, poetry, surgery, mathematics, and the fine arts—but while he dashed off his contributions with almost unheard-of celerity he was not always sure, sometimes deplorably inexact, nearly driving the overworked editor into the realms of despair. He was so swift with his pen, and accomplished so much, however, that he was supposed to "have time for everything." "Take it to that fellow Brougham!" exclaimed Sir Samuel Romilly on one occasion, when solicited to edit a forthcoming book. Lord Holland once assured Brougham that he believed if a new language was discovered in the morning he would be able to talk it before night; and Lord Campbell was accustomed to declare that if Brougham was locked up in the Tower for a year without a single book, the twelve months would not roll past ere he had written an encyclopedia.

In a letter from Edinburgh Lord Brougham wrote to Viscount Howick in October, 1807, saying: "On my arrival here I found Jeffrey very anxious to insert in the next *Review* proper discussions of the American and other neutral questions, and I should be glad to have any suggestions that may occur to you upon these subjects, in addition to those which you have already mentioned in the course of conversation." On the 7th of November Brougham wrote again to the same correspondent, "I drew up

a statement of the whole American question for Jeffrey's *Review*, and having procured a copy, I shall inclose it to Lord Lauderdale and request him to forward it to you when he has read it. He was so good as to write me a letter on some points, at your desire; and I also had the benefit of consulting with Lord Holland and Allen respecting the negotiation with America. I should be glad to have your opinion respecting the general principle which I have ventured to propose for satisfying the Americans without giving up our search of merchantmen—viz., redress in our *common law courts*, and not our admiralty."

In 1796 the third Lord Holland had returned to England from his travels on the continent, and restored Holland House—that is, he fitted it up at great expense for his own private residence, and restored it intellectually by bringing together wits and geniuses who invested it with even greater brilliancy than it had formerly enjoyed in the days of Addison. This beautiful dwelling stood in the old court suburb of the town, a sort of "enchanted palace," as Sydney Smith called it, "with charming nooks and corners, lovely gardens, weird traditions, famous pictures, literary treasures, and political memories." Lord Holland was the nephew of Charles James Fox, by whom he had been trained for public life, a man of elegant culture and amiable character, the steady friend of every political reform, and was of the same age exactly as Jeffrey. He delighted in generously extending courtly hospitalities, and from 1799 until 1840 there was hardly in all England a man of distinction in politics, science, or literature, from Charles James Fox and Lord Byron to Lord Macaulay and Lord John Russell, who was not at one time or another a guest at Holland House. It was a recognized centre of literature, and the most scholarly and refined men and women of the period were being constantly entertained under its roof. It was Lord John Russell who described Lord Holland as "a man who won without seeming to court, instructed without seeming to teach, and amused without laboring to be witty."

Lord Brougham was a constant dinner-visitor at Holland House, and his quick repartee and perennial gayety rendered his presence ever welcome. He was considered a star of magnificent promise, and had secured the friendship of Lord Grey and the leading Whig politicians. He was already pledged to those principles of progress and reform to which he was destined to render such signal services. In 1806 he was appointed secretary to a mission of Lord Rosslyn and Lord St. Vincent to the court of Lisbon, with a view to counteract the anticipated French invasion of Portugal, but he was not absent over two months. During the same year



HOLLAND HOUSE.

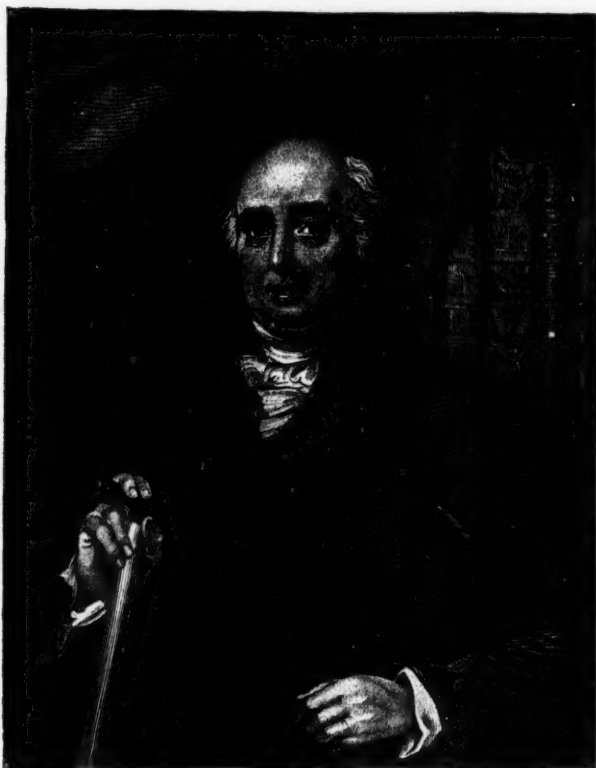
Lord Holland was appointed joint commissioner with Lord Auckland to adjust with the American commissioners, James Monroe and Charles Cotesworth Pinckney, the tangled matters between England and the United States.

Lady Holland was a beautiful, imperious, and accomplished woman, who presided over her household like a veritable queen. She ruled as well as reigned, and every one who crossed her threshold was made to feel her power. She was as well informed as the most versatile of her guests, and discussed political affairs, poetry, and prose with equal grace. A list of the celebrities with which Holland House was associated would be interesting in this connection, if space permitted; and serve to illustrate the broad sympathies and enlightened tastes of its genial and generous proprietors. Lord Byron dedicated to Lord Holland the *Bride of Abydos*. Men of science like Sir Humphry Davy, Count Rumford (of American birth), Alexander von Humboldt and his brother William, helped to swell the brilliant throng. Earl Grey, the courageous premier of England, Marquis of Lansdowne, Prince de Talleyrand, the diplomatic wit and witty diplomatist, Prince Metternich, the Duke of Clarence (William IV.), and the Duc d'Orleans (Louis Philippe) were often entertained. Poets like Coleridge, Wordsworth, Tom Moore, and Samuel Rogers met in the library such philosophic students as Bentham, Mackintosh, and Sir Samuel

Romilly, or Sir Walter Scott, Lord Lyndhurst, Dumont the publicist, Madame de Staël, and the Duchess of Devonshire, or statesmen and authors from the American shores, such as James Monroe, Washington Irving, and N. P. Willis. Tom Moore was sitting beside Lady Holland, at one of the Holland House dinners, about the time that he was writing a book which he fondly thought would prove lively and amusing, when she suddenly remarked to him, with characteristic frankness, "This will be a dull book of yours, this *Sheridan*, I fear." Moore was stunned with dismay, and tried to defend his work; but Lady Holland, who was a fearless critic, proceeded to point out its defects with precision. To Lord Porchester she said one evening, "I am sorry to hear you are going to publish a poem; can't you suppress it?"

With all her critical proclivities, however, Lady Holland was a loyal friend to those who once gained her esteem. Many of Sydney Smith's wittiest letters are addressed to her. Yet she had no hesitancy about issuing arbitrary commands to her distinguished guests. Once she exclaimed, "Sydney, ring the bell." He replied, "Oh, yes; and shall I sweep the room?" It is related of her that "in the midst of some of Macaulay's interesting anecdotes she would tap on the table with her fan and say, 'Now, Macaulay, we have had enough of this, give us something else.'" She was fond of crowding her dinner-table, and once, when the company was tightly packed, an unexpected guest arrived, and she ordered room made for him, which was not easy. Presently she addressed the celebrated humorist, "Luttrell! make room!" He replied gravely, "It must certainly be made, for it does not exist." Sydney Smith was conspicuous on almost all occasions, with his ponderous figure, and flashing pleasantries of so droll a description that even the servants who stood behind the chairs were often convulsed in fits of laughter. Luttrell, who was a reputed epicure, created quite a scene of merriment one day by letting the side-dishes all pass him—an extraordinary occurrence—in order to contemplate a guest who failed to laugh at Smith's jokes. On another occasion, when the Prince of Wales was one of the dinner company, the question arose as to who was the wickedest man that ever lived, and Smith, addressing the prince, said, "The Regent Orleans, and he was a prince." "I should give the preference to his tutor, the Abbé Dubois," retorted the prince, "and he was a priest, Mr. Sydney."

It was Luttrell who wrote the flowing lines concerning "Rogers's seat" in the summer-house in the Holland House grounds, on either side of which the family name was playfully illustrated by the design of a fox, in box:



Ussall Holland

"How happily sheltered is he who reposes
In this haunt of the poet, overshadowed with roses.

Let me in, and be seated. I'll try if, thus placed,
I can catch but one spark of his feeling and taste,
Can steal a sweet note from his musical strain,
Or a ray of his genius to kindle my brain.

Not a thought, I protest—tho' I'm here, and alone,
Not a line can I hit on that Rogers would own,
Though my senses are ravished, my feelings in tune,
And Holland's my host, and the season is June."

There was no other mansion in Europe so attractive as Holland House. Among the luminaries not hitherto mentioned who might have been seen there, was the Duke of Richmond, Lord Macartney, ambassador to China, Sir Thomas Maitland, Edwards, the opponent of Wilberforce, Hallam the historian, Payne Knight the antiquary, Sir John Newport, Lytton Bulwer, "all collar, cuff, diamond pin, and wavy hair," Lord Aberdeen, Lord Moira, afterwards governor-general of India, the Duchess de Guiche and her brother, Prince Jules de Polignac, the two Erskines, Lord Thurlow, Lord Houghton, Thomas Campbell, who had risen to fame with one bound by the publication of the *Pleasures of Hope*, Curran, the embodiment of Irish wit and humor, Sir Gilbert Elliot, Sir John Leach, Sir Arthur Pigott, and Right Hon. John Hookham Frere, the minister to Spain, who earned literary distinction through his joint authorship with Canning of *The Needy Knife Grinder*.

During the years prior to the war of 1812 the affairs of America were much discussed at Holland House. Lord Brougham was about that time seriously contemplating a visit to America. Perhaps the sentiment recently uttered by Mr. Gladstone, "that the one series of historical developments of most use to the student is notably American," was more familiar to his predecessors than we have been apt to suppose. Mr. Gladstone believes that the seeds of freedom were sown in America by England, and that we revolted on matters of detail. He says: "You have in America these two things combined, the love of freedom and respect for law and a desire for the maintenance of order, and thus you have the elements of national excellence and national greatness." Lord Brougham, in 1808, as counsel for the Liverpool merchants, exercised his pen with prodigious activity, and gave the whole strength of his impassioned eloquence to the overthrow of the Orders in Council that had been framed in retaliation for the Berlin and Milan decrees. He conducted the lengthened inquiry in a masterly manner, displaying an insight into the principles of political economy and international law which at that time was possessed by no other advocate. It seems strange that the government of a great commercial nation should ever have believed that one of the most effectual and essential modes of carrying on war and destroying an enemy was to shut out the trade of neutrals. This was destroying the very sinews by which the burden of war could be sustained. Indeed, the trade of the country was suffering more from these fatal restrictions than from the war itself. But Brougham's efforts were not then successful. It was while he was in Parliament, in 1812, that he resumed his attack upon the Orders in Council with increased authority and vigor, and, aided by the peril and

disgrace of the quarrel with America, ultimately conquered. The Orders in Council were revoked.

Brougham also labored incessantly for negro emancipation throughout the British colonies. One of the first measures he carried into the House of Commons was a bill to make the slave trade felony. As Chancellor of England he had the happiness of taking part in the great final act of humanity and justice by which the abhorred traffic was abolished. But while Brougham will always be remembered as the champion of every human right and the avenger of every human wrong, he was blessed with neither reserve nor discretion. As a man of letters, notwithstanding his literary industry, and the fact that in the first twenty numbers of the *Edinburgh Review* he wrote eighty articles, he has left no work of lasting celebrity, and in science he made no real discovery. In the midst of all his triumphs, the friends who knew him best were aware that his extraordinary gifts and powers did not include all the important elements of true greatness. He lacked self-control; was too rash, arrogant, and capricious for a successful leader, and although probably admired and feared more than any man in England, he drifted out of the main stream of national life, and his figure is already becoming indistinct. The following letter to Lord Grey reveals something of the kindness of his nature:

(Private.)

"WANSTED, August 30, 1833.

"MY DEAR LORD GREY:

"I forgot before leaving town to renew my urgent request about Miss Martineau's pension, of which we talked last winter. I am sure Lady Grey (if I wrote to her, which I have a great mind to do) will join warmly in this. You know what was her (Miss Martineau's) case. When her father failed in the panic, she refused an annuity from some of her relations, and supported herself and her mother *by her needle*. This I know to be the fact; she went on for two years in that way, then discovered that she had another gift and another vocation. She has since made a good income by her books. But she is driven to write *too much* and too constantly; and this is spoiling her, and indeed wearing her out. So that £100 a year might be the means of saving her from going down, and finally going out. Whether or not she might be romantic about it, as she was about her cousin's offer, I can't tell. But, at all events, your offering it to her would be a most creditable thing to you, and be most agreeable to all our people. Yours ever,

"H. BROUGHAM."

In the year 1813 Lord Jeffrey visited America for his bride, Miss Charlotte Wilkes, the daughter of Charles Wilkes, the first treasurer of the New York Historical Society and president of the Bank of New York, whose residence was in Wall Street. Lord Jeffrey lost his first wife in 1805, the daughter of Rev. Dr. Wilson, of Edinburgh. His acquaintance with Miss

Wilkes began about the close of 1810, while the lady with her father and mother were visiting relatives in Scotland. The sincerity of his attachment was proven by this voyage, in a time of war between the two countries, and by one who recoiled in nervous horror from all watery adventures. No matter whether it was a sea that was to be crossed, or a lake, or a stream, or a pond, it was enough to render him miserable that he had to be afloat. The discomforts of an ocean journey at that period too were very great, as steam had not yet shortened it, and modern luxuries of travel were unknown. But he, nevertheless, made his will, and turned his face toward the New World. He went to Liverpool in May to find a ship, but was not able to sail until August 29, and, with his brother, landed in New York on the 7th of October. His marriage took place in the Wilkes mansion, and in November he visited some of the principal American cities, and, on the 18th of that month, had the honor of dining with President James Madison. He had two interesting interviews with Secretary Monroe, the conversation turning in a most animated manner upon the existing war, its provocations, principles, and probable results, particularly as to the right claimed by England of searching American vessels for the recovery of British subjects. On the 22d of January, 1814, he left New York on his homeward voyage, and reached Liverpool in safety, the 10th of February. The next article which he wrote for the *Edinburgh Review* was entitled "The State and Prospects of Europe," the war on the continent having ended, as it were, miraculously, through experiences which seemed to promise permanent peace to the world. Jeffrey wrote, in the flush of joy, one of the most beautiful essays that ever came from his pen. In his opinion the greatest of impending evils was continued hostilities, and Napoleon's military despotism; as for the American war, he was alive to the fact that the tone of the British government had changed, and that the prospect was fair for a speedy restoration of tranquillity with the new nation beyond the seas. He has said, in regard to the reception of this paper, "that it was the first time the *Review* and the public were ever of one mind."

HOOPER CUMMING VAN VORST

LATE PRESIDENT OF THE HOLLAND SOCIETY

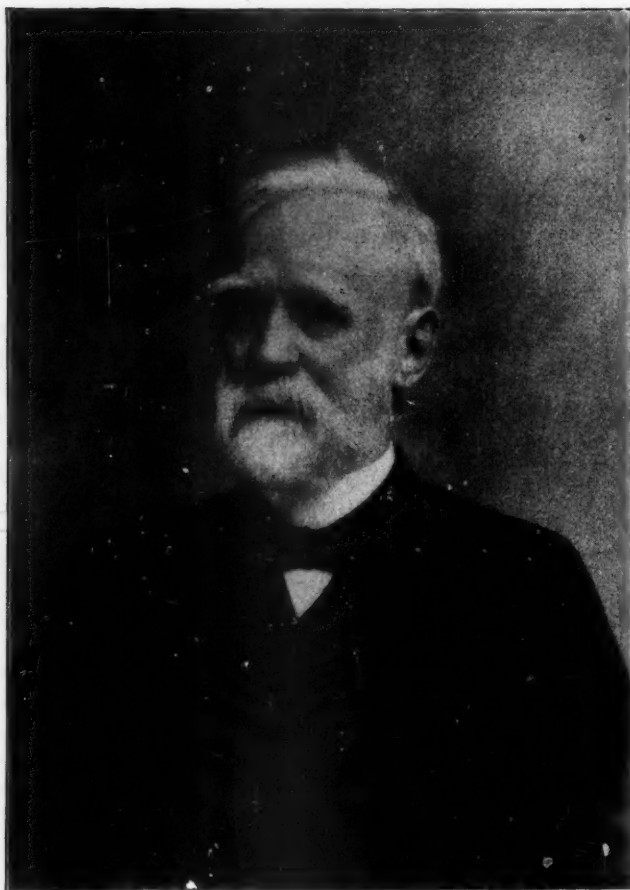
When Rev. Henry Van Dyke, in the name of The Holland Society of New York, a few years since, presented to ex-Judge Hooper C. Van Vorst the golden badge of office as president of that society, he inadvertently addressed the latter as "Your Honor." Recovering himself, he continued: "Mr. President, no better title could be found by which to address one who for so many, many years has filled so many positions of trust with honor to himself and with benefit to the community, one who holds this position because of the esteem and affection of his fellow-members—one whom all men delight to honor."

This is the uppermost sentiment in the minds of all who knew him, now that he is dead.

What a happy memory to leave.

His ancestor in the male line came from Holland and settled at Albany in 1670.

Born at Schenectady, New York, in 1817, he graduated with honor at old Union, and studied law with Messrs. Paige & Potter, names illustrious among New York jurists. Removing to Albany, he became president of the Young Men's Association and was soon appointed corporation counsel, and the large body of friends who forty years later followed him to his grave in the Albany Rural Cemetery attested the lasting impression his good qualities made upon the exclusive society of that proud city. In 1853 he came to the city of New York, and while engaged in an extensive law practice he was in 1868 appointed by the governor of the state a judge in the court of common pleas. In 1871 he was elected a judge of the superior court of New York city, and in 1873 he was appointed by the governor to hold circuit and special terms in the supreme court of the state, wherein he has since become famous as a learned, careful, impartial equity judge, earning from his fellow judges the soubriquet of "The Chancellor." In the midst of his many and arduous duties he made time to attend to the waifs and the children of the poor, being for eighteen years a trustee of the Children's Aid Society, and for about the same period of time a member of the Presbyterian Board of Foreign Missions, a director of the American Tract Society, and an elder



Hooper C. Van Vorst

1817-1889.

in the Fifth Avenue Presbyterian church. He was a member of the Board of Education from 1871 to 1873, having previously been a trustee of the schools of the sixteenth ward. He has been a trustee of his *alma mater* since 1885. He was an honored member of the Psi Upsilon frater-

nity, and president of its New York city Alumni Association from 1884 to 1886. The only reason he was not renominated and re-elected judge at the expiration of his fourteen years' term in 1885 was because in two years more he would reach the constitutional limit of seventy years of age; he thereupon resumed the practice of the law, and found another post of honor in the private station, where all confided in his integrity, his learning, and his wisdom. When The Holland Society of New York was formed he was selected as worthy to be its first president, and he was followed to the grave by the hearts of its eight hundred members. When that society carries out its intention of erecting in New York city a statue of a typical Dutchman, it may well consider a statue of Hooper C. Van Vorst as the embodiment of all the virtues of their forefathers, rather than perpetuate the name of some half mythical hero of the seventeenth century, whose vices have been forgotten or obscured by time. This man had no vices to forget. He was a Christian who daily lived up to his faith and profession. And in considering his life as a whole, and recalling the peaceful smile that rested upon his features as he lay in his coffin in the church crowded with mourning friends, a man may well say, "May I die the death of the righteous, and may my last end be like his."

Edw. W. Van Dieren

THE STORY OF BRAVE, BEAUTIFUL MARGARET SCHUYLER *

ALBANY, *August*, 1781.

Through "the green and silent valley,"	And a fresh and ghastly trophy
Warm in the August sun,	With a woman's braided hair.
The limpid, winding waters	
Of the Tawasentha run,†	Woe to man, or lad, or maiden,
	Who may wander from the way,
To the canyon cold and shaded	To the aged sire, or matron,
Where they beat its rocky breast,	Or the little child at play.
To the river just beneath it	
Where they find at last a rest.	Many wrongs in the wild bosoms
	Burn with the fires of hell,
Shadowless the deep recesses,	And a calm and brooding silence,
Weird the dim, uncertain light,	Of the vow of vengeance tell.
Which a sunbeam never gladdens,	
Chill and silent as the night ;	Soon the silence shall be broken
	In the tumult of the town,
Where the giants of the forest,	And the vow shall find an utterance
As a barrier, interlock ;	Ere the night shall settle down.
And the hemlock's branches falling,	
As a curtain, touch the rock ;	<i>Take the neglected record</i>
	<i>Of travail of the age,</i>
Touch the rock where, ne'er relaxing	<i>Open the early chapter,</i>
Listening ear or watching eye,	<i>Read this forgotten page :</i>
Motionless as waiting serpents	
The Mohawk warriors lie.	I.
Tomahawk and loaded rifle	Upon the burnished river
And the scalping knife are there,	The glimmering light was flung .

* The appropriate title to this dramatic ballad was suggested by the venerable poet, John G. Whittier, to whom the manuscript was submitted. In a letter to the author (which we regret we are not at liberty to publish) Mr. Whittier writes, "Thee have produced a genuine American ballad," characterizing it at the same time as "the story of brave, beautiful Margaret Schuyler."

† The Tawasentha of the Mohawks, and of Longfellow, is in the valley of Normans kill, eight miles west of Albany.

Upon the Indian Ladder*
Lingered the setting sun.

Sweeping across the Pasture,†
Stirring the sleeping air,
In gentle sweet vibration,
The bell for evening prayer,

Calling the sad and anxious,
The faithful and the good,
To the old Dutch church, standing
Where old Fort Orange stood,

To pray for the great conflict,
For victory of the right,
For husbands, sons, and kindred,
For safety, Lord, this night!

Beside a shaded portal,
Where garden, lawn, and wood
Encircled an old mansion,
Two earnest figures stood—

Schuyler, the wise and generous,
The knight of courtesy;
The patriot, statesman, soldier,
Our flower of chivalry.

Beside the shaded portal,
Father and daughter speak.
O maiden, why the blushes
That steal upon thy cheek;

The tremulous, new accents
That thrill thy father's ear?
Has he a rival coming—
The young Van Rensselaer?

Cousin, or friend, or lover,
Which is he now to thee?

Heir of the great Dutch dukedom,
Prince of the Colonie!

Why plead these tones beseeching,
And with the old caress
That oft and oft repeated
Has won a father's yes?

The one caress of nature
Which never felt a doubt,
Repeated and repeated
While life and love hold out.

The tender, first confiding
Of trusting infancy,
Which binds the strong a captive
In its sweet tyranny.

As now upon his shoulder
The baby head would rest;
As now in tender claspings
The little arms had pressed!

The spring of life's beginnings,
The spring-time's blushing end;
And with the spring-time memories
The summer visions blend.

Sinking into the cornfield
Like wild-fowl in the deep,
Unruffled as its surface,
The stealthy Mohawks creep.

"My daughter," still the counsels
In weak remonstrance fall—
Along the trellised grape-vines
The dusky warriors crawl.

O father, cease thy loving
Look from the eyes of blue!

* The exceedingly picturesque defile by which the Indians ascended the precipitous ledge of the Helderberg.

† The old name of the Schuyler place, then in the outskirts of the town—not the residence near Stillwater which Burgoyne had burned in 1777.

O fated pair, arouse ye !
Wild eyes now gleam on you.

Solemn in its confiding
And soft serenity ;

Pray hearts within the churches,
The great Disposer call ;
Woe to the cause and country,
If the brave leader fall.

The sleep that mothers gaze on,
And shrink to take away ;
That awes the mute beholder,
And bids her watch and pray.

And Fates, press back your balance,
Remember whom ye save—
This, noblest of the maidens,
That, gentlest of the brave !

Sleep, little sleeper, softly,
Thy sleep and life are one ;
A baby sigh or movement,
And thy short race is run.

A rush across the greensward,
A crash and bolted door,
A piercing cry, " THE INDIANS ! "
Flight to the upper floor.

The Mohawk Wolf is standing
In thy forsaken room ;
His fierce eyes, unrelenting,
Piercing the curtained gloom.

The iron blows are beating,
The door comes crashing down ;
Fire from the upper windows,
Till help comes from the town.

Adown the stairway stealing
From watchful eyes above,
She to whom life is sweetest,
The loved one of her love ;

Now mount and ride, young lover,
Spur through the wondering street ;
Thy courser's flanks are bloody,
Frantic his flying feet.

Bounding across the chamber,
Dauntless mid death's alarms—
And the soft burden sleeping
Is clasped in the soft arms.

But though the wild wind coming
Lend him its wingèd gait,
And love and honor urge thee,
Thy help must come too late.

A keen axe, erst unerring,
Came hurtling through the air,
Grazing her dress in passing,
Gashing the oaken stair.

II.

In a low, hooded cradle—
From Holland brought, they say,
For the first Schuyler baby—
A little inmate lay,

But strangely at the moment
Broke off the frenzied yell,
And on the exultant warriors
The spell of mystery fell.

Sleeping the wondrous slumber,
Dreamless of enmity,

They thought the fair, white spirit
Was the Great Spirit's bride,
Whose soft ethereal raiment
Could turn the axe aside.

They heard in the sighing west wind
 Strange squadrons march along,
 And in the air above them
 A stern command, "Come on!" *

Above the Tawasentha,
 They saw the sky grow black,
 And on the Indian Ladder
 The lightnings warn them back.

And now in the upper chambers
 With frail defences set,
 The nurse's noisy wailing
 And the mother's silence met.

Around in wordless pity
 A little group of men
 Looked away from the hungry question
 Her eyes asked each of them.

Trained in a school heroic
 That drew no craven breath,
 That fought for life, unflinching,
 Till life be lost in death,

They felt the ominous silence
 When all below grew still,
 The stillness before the tempest,
 The unknown's shivery chill;

Poising their flint-lock rifles,
 Ready to live or die,
 With each nerve strung and waiting
 For the death-grapple nigh;

When in an opening doorway,
 Smiling, and calm, and fair—
 A tiny hand entangled
 In a stray stress of hair,

Fearing they'd wake the baby,
 Signalling soft commands,
 Bright in her flush of triumph,
 SWEET MARGARET SCHUYLER STANDS.

Heroic act of girlhood!
 No braver had been done
 By soldier, sailor, ranger,
 When the long war was won.

"She was her father's daughter,"
 The old folk often said,
"And then as in a story
She with her prince was wed."

Our first in lordly station,
 Our first in maiden fame,
 Keep green the laurel twined with
 Sweet Margaret Schuyler's name.

Charles C. Nott.

WASHINGTON, D. C.

* The general with great presence of mind fired his pistols from an upper window, and shouted,
 "Come on, my brave fellows, surround the house."—*Stone's Life of Brant.*

THE DRAWINGS OF A NAVAJO ARTIST

One of the best-known sub-chiefs of the Navajo Indians in northwestern New Mexico is Mariano. This man controls a camp of his people some twenty miles from the military station of Fort Wingate, which latter place he frequently visits. His father was a notable chief before him, and Mariano is highly respected for his sagacity and wise ruling among the remnant of the tribe now under his sway.

An elder sister of his, known among the Navajos by the name of Esta-yeshi, lives in one of the crudely constructed habitations built by these people on the hill-sides close to the government buildings of Fort Wingate. Esta-yeshi, of whom we present an admirable portrait, is exceedingly masculine in her tastes and instincts, even for a Navajo woman, and when she came to have her picture taken she insisted upon holding her revolver in one hand and steadying her favorite Winchester beside her with the other. The Navajos say that this woman is one of the best, if not the best, blanket weaver in the tribe, and many a time have I watched her skillful weaving with interest. Nor does she lack intelligence in other respects, for she is often consulted on matters of no little import in the tribe. Esta-yeshi has a grown son of about twenty-two or twenty-three years of age, whom the Navajos call "Choh," which means some kind of a bird, I believe.*

Choh had an unfortunate accident happen to him as an infant. He was strapped up, in the manner of all Navajo papooses, to his little board, in a thoroughly confined manner, and had been placed near a smoldering camp-fire by his mother. Something or other tipped him over, face downward in the hot ashes, and before any one could reach him his face all about his mouth had become frightfully burned. The scar from this has never left him, and his nose is nearly as flat as his face to-day. This Indian is one of the ever-to-be-seen characters about the garrison of Wingate. Usually he is extremely untidy in his appearance and awkward in his carriage. Indeed, with his eccentric movements and great moppish head of hair and highly revolting features, many of the children stand in great awe of the poor, disfigured fellow. He is by no means the stupid clown we would take him to be, however, upon first sight, as we shall very soon see.

* This paper was prepared for the *Smithsonian Report*, 1886.

Long before I knew Choh had any claims to being one of the artists of the tribe, I had been struck, on several occasions, when closely studying



ESTA-YESHI, MOTHER OF THE ARTIST.

the peculiar expressions of his face, unknown to him, by certain lights of intelligence that would come into it in spite of its pitiful deformity; these were much enhanced by his overflowing good-humor, for he is a warm-

hearted, happy type of an Indian, in spite of his repulsive exterior. It is wonderful to see the affection that Esta-yeshi has for this scarred and half-crippled son of hers. She is never so happy as when he is about; has taught him all that lies within her power to teach; does everything for him, and is pleased to the last degree when he will allow her to decorate his person with all those trappings so impressive in the eyes of the Indian, and in which we see him decked out in the accompanying engraving. The two eagle feathers at the side of his head denote his claim to royal blood.

Fort Wingate, in common with all United States military stations on the frontier, has its building known as the trader's store, though the post-office and other minor establishments are included under the same roof. This building is a great resort for the idle ones among the Navajos, who, during most of the time on week-days, lounge about on its veranda, incessantly smoking their cigarettes, or if it be cold they practice the same around the stove in the centre of the main room within. Choh forms no exception to this almost general failing, but is, indeed, reckoned among the most inveterate of the regular *habituals*. When he comes, however, his time is rarely spent in idleness, for, after rapidly puffing through one or two cigarettes, he will saunter over to the distant end of one of the long counters of the salesroom, where he is soon at work on some of the sheets of wrapping-paper there to be found, with his bit of illy sharpened pencil. It is a curious sight to see this Indian at his drawing. He is obliged to bring his face almost down in contact with the paper, on account of his eyes, which were permanently injured by the burn I have already alluded to above. In this position the great mat of coarse hair which covers his head tumbles all over, so as almost to hide the subject which engages him, from the observer at his side.

The first time I overlooked Choh to see what he was about he was laboring away at a gaudily dressed chief riding at full tilt upon his Indian steed. His work was rather above that of the average Indian artist; but as I had seen many of their productions before, and watched many of them while they executed them, I paid no special attention to this additional example of an old story. Choh has been presented at various times with one of those red and blue pencils, when the results of his handiwork exhibit a striking appearance indeed. Flaming red frogs with blue stripes adown their backs and sides, with still more pretentious birds, will be found on every piece of paper that comes beneath the hand of this untutored artist.

His figures of Indian men and women are particularly worthy of notice,

and one, in watching him carefully, can gain some idea of the relative importance that he attaches to the various parts of their war and ordinary trappings, through the emphasis with which he depicts some of them. But Choh is not much of a naturalist, as his woful delineations of birds and



CHOH, THE NAVAJO ARTIST.

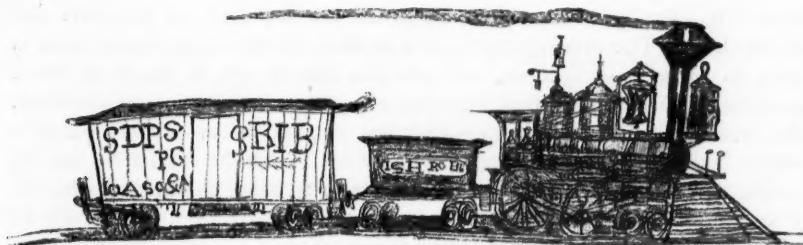
animals will testify; and it was not until a week or more ago that I accidentally discovered the true channel in which his talents lay. I was passing through the salesroom with my budget of mail when I noticed this Indian, as usual, bent over his paper, and more than ordinarily absorbed in

the design he was engaged upon, beneath the great disheveled mat of a winter's growth of the blackest of hair that hung down from every part of his head.

The glance I was enabled to get at his paper satisfied me in an instant as to the cause of his increased interest. He was at work upon a locomotive, with its tender and a couple of baggage-cars, and was just then giving the finishing touches to his design. The effort attracted my attention at once, because an Indian's idea of a locomotive, drawn by himself, without the object before him, was to me something certainly worthy of examination. The drawing of birds and frogs and lizards, in their crude way, is a thing we somehow naturally look for; and as it has been a fact for so long a time before us, perhaps we take it, too, as a matter of course that such people would make endeavor to depict objects which were constantly before their eyes in their common environment. A moment's consideration would also convince us that among these very Indians, as it is with more highly civilized races, there would be different degrees of merit exhibited, even among those who laid claim to being proficient in the same branch. I saw this well exemplified nearly a year ago, among the Zuñi women, as they fashioned and painted their pottery at the Pueblo, and no doubt it holds good everywhere and in all paths of human activity. It was very prettily brought before my mind in the case of the Zuñi women, for one of the group that I was watching on the occasion referred to was painting a jar for me, when I got her to understand that it was my wish that she should incorporate an animal and a few birds in her design. At this she despondingly shook her head, and pointed, with rather an envious gesture, I thought, to one of her companions who sat opposite, as the one who was skilled in that part of the work.

Another thing I have noticed is that the majority of these Indian artists are great mimics, and there is much to lead us to believe that many of their designs, both in pottery and in art, have become quite stereotyped. Not long ago I pointed out this fact in an article which I contributed to *Science*, wherein I showed how the Zuñis had clung, perhaps for ages, to a common model for the owl.

But to draw a locomotive at all well is a vastly different thing, and particularly so when it is done from memory alone. This is a great, complicated thing, crowded with detail, and an object which the majority of the Navajos have only had the opportunity of seeing for a few years. The question possesses no little interest from an educational point of view; for if one full-blooded Navajo Indian can, of his own volition, thus step out of the archaic aboriginal rut and make a passable picture of a steam-



CHOH'S LOCOMOTIVE. SPECIMEN WORK.

engine, are there not hidden sparks and abilities in other directions, and how would this one thrive if it were properly guided and nourished?

Choh presented me with his drawing, and during the course of the day made me two others, upon some rather common drawing-paper which I gave him for the purpose. The last two efforts were even better than the one he had made for his own amusement, and each possesses points of interest that they do not have in common. I selected the one I considered the best of all, and present it here as one of the illustrations of this paper, it having been reduced rather more than one-third for the purpose.

In one of the others he drew the telegraph poles and wires alongside the track, and placed a bird on top of each pole—a very common sight in this prairie country; but the birds are entirely out of proportion with the rest of the picture, being fully ten times too large. In the third he has attempted to represent the rays of light as they issue from the headlight, and the steam in this one is blowing off. His powers of observation have served him well here, for he has drawn the white steam simply in outline, and has tried to show how it cuts through the smoke, which is drawn black as it comes from the stack.

One of the most interesting things to me was to observe the great care he took to show the "bright line" on the smoke-stack. Not only that, but he was familiar with the fact that it did not show on the under side of the upper enlarged portion of this part of the engine. He has likewise represented it upon the brass steam-chest and elsewhere, and there is an evident attempt to properly shade the body of the engine itself, or boiler. Now, surely this is good work for an untaught Indian, and I can attest it is far above anything that I have ever seen one of them attempt before, much less accomplish.

Again, the detail about the engine is by no means bad, and, moreover, each of these locomotives is upon a somewhat different model, as in one he has the bell in a frame in front of the sand-box; in another it is belted

to it; while finally, in the third, it is in the middle, between sand-box and steam-chest. The driving-gear is not as well shown in the figure as he is wont to make it sometimes, and one has but to watch him draw these parts to become satisfied that the man is ignorant of the principle involved. He invariably places two men within the cab, and takes evident pains to always draw the top of this part perfectly flat. For the tender he usually adopts one model, from which he rarely departs, though sometimes he fills it heaping full of coal, while at others, as in the illustration, he neglects to put any in at all. He has examined the method of coupling, for it is carefully shown in one of the figures.

It is an extraordinary thing to watch him put the letters on the tender and baggage cars. He must make these entirely from memory, yet he never strikes it as they should be, for it is quite evident that his combinations do not agree with the actual abbreviations used by the railway companies; yet Choh writes these on precisely as if he were positive as to their correctness, and we must own that the form of the majority of his capitals is not bad. He invariably, however, makes his great J's after this fashion, J, and nearly always turns his capital W's upside down. Often he places the oblique bar across the door of the baggage car, with a window above it; and I see in one of the drawings he has adopted the elevated plan of brakes seen in this class of cars. Here, again, however, it is quite clear that he has not mastered the use of this contrivance, perhaps one of the simplest in use of all the gearing employed upon a train of cars. The perspective for the wheels, and the proper way of drawing them upon the opposite rails, is another weak point, which he fills in with the shadow.

These are the leading points which occur to me for criticism in this drawing, that, taken as a whole, is truly a wonderful piece of work for one of these people. When we come to consider really how low they are in the scale of civilization, it is an astounding production. About Wingate, here, the majority of these savages live more like bears than men, sheltered, as they are, summer and winter, in the low, rude "shacks," which they build of limbs and twigs of trees on the hill-sides.

Moreover, it is not as if this man had the opportunity of studying a locomotive every day of his life, for the railway station is fully three miles from his Indian home, and there is nothing else to induce him to go there.

R. W. Thurfeldt

ACROSTIC BY JOHN QUINCY ADAMS

During the administration of President Polk Hon. Cavalry Morris of Marietta, Ohio, was in congress, and a warm friendship existed between ex-President John Quincy Adams and himself. Mr. Morris had a pretty daughter of sweet fifteen, who was a special favorite of Mr. Adams. Approaching him one day she requested his autograph and handed him her album. Looking into her fair childish face, which a celebrated artist once remarked furnished the finest blending of moral and intellectual beauty he had ever seen, Mr. Adams replied: "I will give you some advice for the future, my dear Mary."

The little girl sat by his side while he wrote an impromptu acrostic, which, through the courtesy of its possessor, is here presented in fac-simile.

John Quincy Adams

Quincy

Massachusetts

Mark the revolving seasons as they roll
And let them teach instruction to thy soul
Read and reflect—and thus shalt thou ensure
By virtue's blooming bud and ages fruit mature
Mark in thy progress o'er the stage of life
O ne false of folly wickedness and strife
Refrain from e'en the temptations as they rise
Refrain and look to things beyond the skies
In calm composition virtue's path pursue
I tell to thyself and to thy mother true

Washington 27. Feb 7 1843

Some years later the beautiful and accomplished young lady became the wife of Dr. Benjamin D. Blackstone, who is now a retired physician of Martinsville, Indiana. Among the mementos of the young wife who gladdened his early home but one short year, none are prized more highly than the old album leaf upon which these words are written.

Ella M. M. Stone

THE SCIOTO PURCHASE IN 1787*

It is hoped that this paper will serve to correct some of the many erroneous statements concerning the Scioto purchase in chapter eight of *Ohio*, in the Commonwealth series, as well as in other histories of the state of Ohio.

On the 23d of July, 1787, the congress of the United States, in consequence of a petition presented by Manasseh Cutler and Winthrop Sargent, authorized the board of treasury to contract on certain terms with any person or persons for the purchase of the land in the territory northwest of the river Ohio bounded by the same "from the mouth of the Scioto to the intersection of the western boundary of the seventh range of townships; thence by said boundary to the northern boundary of the tenth township from the Ohio; thence by a due west line to the Scioto; thence by the Scioto to the beginning." In pursuance of this authority the board of treasury, on the 27th of October following, made a contract for the sale of fifteen hundred thousand acres of land, lying between the seventh and seventeenth ranges and the Ohio river, to Manasseh Cutler and Winthrop Sargent "as agents for the directors of the Ohio company of associates so called." The consideration was one million of dollars in public securities, one-half of which was paid on signing the contract; the remainder was payable one month after the exterior line of the tract had been surveyed by the geographer or other proper officer of the United States. No title was to pass to the Ohio company until all payments were made, but the right was given to occupy and cultivate one-half of the tract fronting on the Ohio river between the seventh and fifteenth ranges of townships.

On the same day the board of treasury made a contract with "Manasseh Cutler and Winthrop Sargent for themselves and associates" for the sale to them of the remainder of the tract described in the ordinance of congress. Payments, at the rate of two-thirds of a dollar per

* Free use is made in this paper of chapter twelve of the *Life of Manasseh Cutler*, but many facts are given not accessible when that chapter was written. The contracts made by Mr. Barlow in France and much of his correspondence with Colonel Duer are owned by the Historical and Philosophical Society of Ohio. They were obtained in various places, after years of persistent search, by Mr. John M. Newton, the accomplished librarian of the Young Men's Mercantile Library of Cincinnati. Other manuscripts referred to are in my possession.—E. C. D.

acre in public securities, were to be made in four semi-annual installments, the first falling due six months after the exterior line of the tract had been surveyed by the government. This was the Scioto purchase. It comprised over four million acres of land, three-fourths of it west and one-fourth north of the Ohio company tract.

When these contracts were executed no lands had been surveyed west of the seventh range of townships, the western boundary of which intersects the Ohio river about five miles east of the mouth of the Muskingum. The lines of the fifteenth range and the seventeenth range of townships are recognized in both contracts as "to be laid out according to the land ordinance of May 20, 1785." From calculations made by Captain Thomas Hutchins, then geographer, or surveyor general, of the United States, it was believed that the west line of the seventeenth range would strike the Ohio river opposite the mouth of the Big Kanawha.

Simultaneously with the execution of the second or Scioto contract, Cutler and Sargent conveyed to Colonel William Duer of New York city a one-half interest in it, and gave him full power to negotiate a sale of the lands in Europe or elsewhere and to substitute an agent. Colonel Duer agreed to loan to the Ohio company one hundred thousand dollars public securities to enable it to make its first payment to congress* and procured a large subscription to its shares. Soon after, Cutler and Sargent conveyed a little over three-fourths of their retained interest in about equal proportions to Generals Rufus Putnam, Benjamin Tupper, Samuel H. Parsons, Colonel Richard Platt, Royal Flint, and Joel Barlow. Many others became interested with these in greater or less proportions.

In May, 1788, Joel Barlow, who also held an interest by assignment from Colonel Duer, was sent to Europe to negotiate a sale of the lands or a loan upon them. He held a power of attorney from Colonel Duer, to which was attached a certified copy of the contract of Cutler and Sargent with the board of treasury, and their assignment and power to Colonel Duer. In all these papers the lands are recognized as held by a right of pre-emption only. Mr. Barlow met with no success until the summer of 1789, when he made the acquaintance of William Playfair, an Englishman then residing in Paris. Principally through his efforts a company was quickly organized in Paris, called the society of the Scioto, to which in November, 1789, Mr. Barlow sold the right of his principals to three million acres of land lying west of the seventeenth range of townships. The price was six livres per acre; the payments were to be made in installments, commencing 31 December, 1789, and ending 30 April, 1794. The contract

* He actually advanced \$143,000.

recites that Barlow's powers were exhibited and proved, and provided that "as soon as and not before the said payments are remitted arising from the price of the present sale, Mr. Barlow binds his principals toward the society purchasing to put them in possession and enjoyment of an amount of the three million acres proportionate to the amount of the said payment at the aforesaid rate of six livres per acre." The lands were to be located in equal tracts from the seventeenth range westward. It also provided that the society might "re-sell all or a part of the three million acres before the times fixed for the payment of their price, provided that the said society gives up to the Sieur Barlow under the title of pledge the agreements of the under purchasers." Playfair and Barlow were both interested in the society of the Scioto and, with M. Jean Antoine Chais de Soisson, became its sub-agents for the sale of the lands.

Mr. Barlow did not send a copy of this contract to Colonel Duer, but wrote him an abstract of it November 29. He added that he was preparing an arrangement with the royal treasury of France to exchange the obligations of the French society of the Scioto for the American bonds held by it, and that either by that method or by an immediate settlement on the lands, the payments would be anticipated and the whole business closed within a year. He had reason to hope that Major-General Duportail, subsequently minister of war of France, and Colonel Rochefontaine, both of whom had served in America during the Revolution, would go at the head of the first establishment. He urged that the lines of the seventeenth and eighteenth ranges of townships be ascertained without delay. He admitted that he had proceeded as if Colonel Duer had already secured a modification of the contract with the board of treasury, so that titles might be obtained for the lands in smaller tracts as paid for, "by giving the company here power to re-sell portions before they made the first payment on the contract, requiring as my security the deposit of the payments for these portions." He insisted that at all events five or ten thousand acres of land opposite the mouth of the Great Kanawha "on the eighteenth range" must be secured on which to locate the first settlers; that huts be built there to accommodate at least one hundred persons, and that a person of activity be sent from the settlement to Alexandria, Virginia, to prepare for the reception of the settlers, and make the necessary arrangements for their journey to the lands. The expense of the houses and the journey would be "paid by the agent of the people the moment they arrive." On the 29th of December he wrote that he expected to put Colonel Duer in funds to make the first payment of five hundred thousand dollars to congress before it was due, and that if the first settlers were

pleased, half a million of adventurers would follow. On the same date he authorized Colonel Duer to draw on him for twenty thousand livres. January 25 following he authorized drafts for two hundred thousand livres, in the same letter saying that the payments certainly would be made.

On the 27th of February, 1790, a meeting of the Scioto associates in America was held at the house of Colonel Duer in New York city, and he communicated to them the letters from Mr. Barlow announcing the completion of the contract of sale. General Rufus Putnam and Rev. Manasseh Cutler were then in New York, as a committee appointed by the directors and agents of the Ohio company to ascertain the number of shares subscribed for on which no payments had been made, sell them if possible, and effect a settlement with congress. The survey of the Ohio company purchase was not completed, but it was known in the fall of 1789 that the western boundary of the seventeenth range of townships would intersect the Ohio river some distance west of the mouth of the Great Kanawha. This information had not been sent to Mr. Barlow, probably because his American associates had long since given up all hope of effecting a sale through him. He had not sent any plats or accurate information of the location of the lands sold by the French society of the Scioto, though it was evident from his letters that they were in the eighteenth range of townships, and that, relying on the information he had when he left America, he had represented them as opposite or nearly opposite the mouth of the Great Kanawha. The authority he had given to the French society to give deeds in small tracts was especially displeasing to General Putnam, though it appeared from the correspondence that Mr. Barlow had the money received from sales in his own control. As a solution of the problem General Putnam proposed to the associates that they purchase of the Ohio company its forfeited shares, the number of which had been definitely fixed at one hundred and forty eight; take the three acre, eight acre, and one hundred and sixty acre lots, already set apart for these shares in the part of the purchase which had been surveyed, and locate the remainder, 196,544 acres, in a compact body fronting on the Ohio river from a point opposite the mouth of the Great Kanawha river to the western line of the seventeenth range. So far as could be judged from the information at hand, the American proprietors by making this purchase would enable themselves to fulfill every obligation entered into by Mr. Barlow. Before finally closing it, Colonel Duer, on April 20, entered into a formal agreement with his associates which declared that "a contract for the sale" of the lands included in the Scioto purchase

"having lately been made in Europe" it was agreed to form a trust to secure to each one interested his proper share of the profit and to aid Colonel Duer in managing the concern of the sale. Royal Flint and Andrew Craigie were named as co-trustees with Colonel Duer, who was to act as "superintendent of the concerns of the proprietors." The powers and duties of the trustees were defined to be: to see that the contract for the sale of the lands was "carried into execution;" that remittances of the purchase money were duly made to Colonel Duer and by him "*in the first instance duly applied, as occasion shall require, to, or towards, making good the payment for the lands purchased by the parties to these presents of the United States.*" The remainder was to be divided in a manner prescribed. Immediately after the execution of this agreement Colonel Duer made drafts on Mr. Barlow for two hundred and twenty thousand livres as authorized in his letters of December 29 and January 25. On April 23 the trustees closed a contract with the Ohio company for the purchase as proposed by General Putnam of one hundred and forty-eight forfeited shares. The consideration was the same as required from the original subscribers, one thousand dollars per share in continental specie certificates, exclusive of one year's interest due thereon; and the same contribution to the expense fund of the company, to wit, ten dollars per share in specie to be paid in sixty and ninety days, and one year's interest on the specie certificates to be paid in six months. The continental specie certificates were to be paid when the Ohio company made its final settlement with the United States, and the amount was subject to a "deduction in ratable proportion with such sum as may hereafter be remitted by the United States on the original contract." The Scioto associates were given the same right of entry, use, and occupation as was permitted to the Ohio company by its contract with the United States, but no "deed of conveyance" was to be "required and demanded" until the "payments were fully completed and made." The trustees also released to the Ohio company their right of pre-emption to the million acres of land lying directly north of the Ohio company purchase which was not included in Mr. Barlow's sale to the French society of the Scioto.

Although the Ohio company, under its right of entry, had established a large number of settlers upon its lands, it could not, under its contract, obtain a title to any part of them until its payments were fully made. An effort was being made to induce congress to reduce the price of the public lands to twenty cents an acre, and make the reduction applicable to both the Ohio and Scioto companies' tracts. Secretary Hamilton had recommended it in his report on funding the public debt, and a majority in con-

gress appeared to favor it. If made, the Ohio company would be entitled, for the payments it had already made, to a million acres of land in addition to the fifteen hundred thousand acres embraced in its original purchase. The release by the Scioto associates to it of the right of pre-emption to the million acres directly north of the first tract gave it control of the best lands in the territory east of the Scioto river. If no reduction in price was secured, the sale of the one hundred and forty-eight shares at least made the original purchase safe. The payment by Mr. Barlow of the drafts for two hundred and twenty thousand livres would enable the Scioto associates to purchase, at prices then current, continental specie certificates enough to make payments for the one hundred and forty-eight shares and to obtain deeds of lands sufficient to satisfy, as far as could be learned, all of the sales made by the French society of the Scioto. Both parties to this contract were equally pleased and with good reason, for it seemed to solve all their difficulties.

The trustees appointed General Rufus Putnam their agent and attorney to represent the shares, take charge of the lands, and make preparations to locate the emigrants. He employed Major John Burnham to enlist a company of men in New England for service in clearing land, building houses, and keeping guard, and instructed him to go at once to Marietta, Ohio. General Putnam himself went to Marietta early in May, employed Colonel Meigs to make the necessary surveys for a town at the present site of Gallipolis, sent Mr. James Backus to Alexandria, Virginia, to meet, and accompany in their journey west, the French emigrants, and gave to Major Burnham, who arrived with his company early in June, instructions to proceed to the mouth of Chickamauga creek (the present site of Gallipolis), and clear a large tract of land and erect four block-houses and a number of huts according to a plan which would be given by Colonel Meigs. He also notified Colonel Duer that owing to the great scarcity of provisions in the territory, it would not do to permit the emigrants to come west of the mountains until the new crop had matured.

The emigrants began to arrive in Alexandria, Virginia, in April, and by the 27th of May about six hundred had landed. The agent sent by Colonel Duer to meet them had returned to New York supposing that they had made another port, for they were expected in March. Some people in Alexandria attempted to persuade them that they had paid too high a price for their land, informed them that the Scioto company had no title, that the Indians in the northwest territory were numerous and hostile, and that Virginia was, on all accounts, a much better place in which to live. This, with the fact that there was no one at Alexandria to receive them, created much

alarm, and Count de Barth, the Marquis Lezay-Marnesia, and others of the leading men among them were sent to New York to wait upon Colonel Duer, inquire into the validity of their titles, and ascertain if they could reside in the western territory free from danger from the Indians. They explained their plans fully to the secretary of the treasury, Alexander Hamilton, and to a number of members of Congress. President Washington and Secretary of War General Knox gave them assurance of protection, and promised to station troops near the mouth of the Great Kanawha. Colonel Duer exhibited to them printed copies of the law of congress authorizing the sale to Cutler and Sargent, their contract with the board of treasury, and the contract made by the Scioto associates with the Ohio company for the purchase of the forfeited shares. He also explained to them the composition of the Scioto company, and said to them that the entire management of its affairs had been intrusted to himself alone, and that he had for aid and counsel two agents, Royal Flint and Andrew Craigie. Some modifications of Mr. Barlow's agreements for transporting the settlers to their lands were made by Colonel Duer with this committee. Upon its return to Alexandria, the journey of the emigrants over the mountains began, under the leadership of Captain Isaac Guion, who was appointed by the trustees as their principal agent in the west; General Putnam, owing to his duties to the Ohio company, having declined to do more than superintend the surveys.

M. Bourogne, who came to America with the first party of emigrants, went to New York with the committee from Alexandria, and while there ascertained the efforts being made by the Scioto associates to secure a reduction in price of the lands. He returned to France early in June. Sales of lands had about ceased since the emigration. Mr. Barlow, instead of keeping in his own hands the money received for sales of lands by the French society, had left the management of the whole affair to Playfair and M. Chais de Soisson. Colonel Duer's drafts came forward in due course, were accepted, and fell due in August. Playfair refused to provide for them. In his efforts to meet them Mr. Barlow declared the contract of sale to the French society of the Scioto void because it had not met its payments, and made a new sale to a company composed of M. Bourogne, the Count de Barth, William Playfair, M. Coquet, General Duvalette, and himself. This company was to assume the payments to the American government for the lands and to make good all deeds given by the French society of the Scioto. Fifteen sous per acre were to be paid to the American proprietors as their profit. The money and securities in the hands of Mr. Playfair were to be paid to this company, but it was not to be required to make any

payments until at least three hundred thousand acres were sold and only upon sale of each three hundred thousand acres, and no limitation was placed upon the location, within the entire tract, of the lands sold. If any reduction in price of the land was secured, the profit from it was to be shared equally by the parties to the contract. Mr. Barlow was authorized to borrow, if he could, upon the credit of this company, one hundred and fifty thousand livres to apply on the drafts of Colonel Duer.

The principal object of M. Bourogne and his friends in making this contract was probably to secure the expected profit to arise from a reduction in the price of the land and the certain profit already realized from the sales of the society of the Scioto. Mr. Barlow's hope was to force Playfair to "render his accounts without ruining the business," and to provide something on account of Colonel Duer's drafts. Mr. Playfair, while not declining an interest in the new company, failed to turn over the proceeds of former sales. Colonel Duer's drafts were returned unpaid.

Mr. Barlow did not send a copy of this contract to Colonel Duer, who seems to have first learned of it by a letter protesting against it from Colonel Rochefontaine, who was interested in the French society of the Scioto, and who was also a purchaser of lands. Colonel Duer was now in a most embarrassing position. To meet the unexpectedly large expense of establishing the settlement, he had issued demand notes in the form of currency. These were coming in daily, as rumors of Mr. Barlow's troubles began to spread. Many of the emigrants refused to refund the amounts advanced for their account until the titles to the lands were perfected. The return of the drafts was a staggering blow to his credit. Unaware of the exact condition of Mr. Barlow's negotiations, unable to understand what had become of the money received for the lands sold, or to form any correct judgment as to the number of acres for which deeds had been given, he called the trustees together, and with their assent sent Colonel Benjamin Walker to France, with power to displace Mr. Barlow or act with him, to at least obtain the money due for lands sold, and to endeavor to get a clear understanding of the affair, and to sell the right of preemption as originally intended. By him Colonel Duer wrote Mr. Barlow, notifying him that the trustees refused to ratify the sale to M. Bourogne, and upbraiding him in the severest terms for the manner in which he had conducted the business. He reminded him that he had not furnished copies of any engagements, or any list of lands sold, or any statement of receipts and disbursements; that except one thousand crowns, sent for a special purpose, he had made no remittances, and that he had assigned no reasons for not having honored the drafts. He notified Mr. Barlow that he and

he alone was responsible, not only to the American proprietors but to the United States, for the moneys received, which he had always represented were under his own control. He added, "The advances and engagements I am under in order to comply with the fallacious statements of your prospectus, and to preserve your honor and character from utter destruction, are no less than forty thousand dollars, exclusive of large sums of interest for money borrowed. This, at least, you are called upon by every tie of honor and generosity to secure."

Colonel Walker arrived in Paris in December, 1790, and was received by Mr. Barlow with every expression of joy and satisfaction. He spent several weeks in endeavoring to untangle Mr. Barlow's affairs. From Mr. Playfair he secured a statement of account, showing sales of about one hundred and forty thousand acres of land, and a long list of reasons for not having settled with Mr. Barlow. The most diligent effort failed to secure either money or property. Colonel Walker warned the public, by advertisement in the principal cities of France, not to purchase lands of Mr. Playfair, who meantime disappeared. Mr. Barlow was penniless, and Colonel Walker advanced him money for his family expenses. With the aid of Colonel Rochefontaine and General Duportail, then minister of war, an effort, which promised well for a time, was made to form a new company for the purchase of a smaller tract of land. News of the Indian war defeated it. Early in May, 1791, Colonel Walker returned to America, leaving Colonel Rochefontaine in charge of the negotiations. He appears to have been convinced that in a favorable condition of public affairs the lands might yet be sold. The Fates were not propitious. The troubles in France grew worse. General Duportail was denounced in the assembly, forced to resign as minister of war in December, 1791, and a few months later both he and Colonel Rochefontaine were obliged to flee to America for their lives.

Several hundred emigrants reached the present site of Gallipolis about the middle of October, 1790. Major Burnham's men had prepared houses for them, and had cleared a considerable space for garden lots. The Count de Barth and Marquis Marnesia with a large party reached Marietta a few days later, and were quartered in Fort Harmar while waiting the survey at the mouth of the Scioto river, where Count de Barth wished to establish a city. Before the surveyors were fairly at work, news came of the defeat of General Harmar and the rising of the Indian tribes along the entire border northwest of the Ohio river. This put an effective stop to further surveys or settlements. Count de Barth and the Marquis Lezay-Marnesia returned to New York to negotiate further with Colonel

Duer. Some of the people who had come with them remained at Marietta; some went to Gallipolis; others to the French settlements in different parts of the country. The Indian war made it impossible for the settlers at Gallipolis to do any work beyond range of the guns of the block-houses. Colonel Duer had established there a store, and continued to supply them with the necessities of life, taking from those who had no money their deeds to lands and village lots as security. In the spring of 1791 they began the cultivation of grapes on a large scale on the village lots which had been cleared, and also to raise vegetables, for which they found a ready market on the boats which were constantly plying up and down the Ohio river. The defeat and rout of the army of General St. Clair by the Indians, in November, 1791, was accepted by the people as a sufficient excuse for not having their lands surveyed and titles made good. Their worst troubles were to come.

In the spring of 1792 the directors and agents of the Ohio company met in Philadelphia, where congress was then in session, to effect a final settlement of its affairs. It had no title to any of its lands. It had paid to the government one-half of the amount due on its contract, and had in its treasury over three hundred and fifty thousand dollars in securities and land warrants applicable to the final payment, besides the amount due from the trustees for the Scioto associates, who had paid nothing on account of the purchase of the one hundred and forty-eight shares. The securities in the treasury alone, owing to the rapid advance in the price, were worth in money more than the entire amount of lands in its purchase. Many of its share-holders were clamorous that the contract be surrendered and the settlement abandoned, if necessary, to secure a dividend of the residue of its funds. After much negotiation congress passed an act directing that a deed be made to the Ohio company for the 750,000 acres to which it had the right of entry for the payment it had already made, and for 214,285 acres additional to be paid for in land warrants. One hundred thousand acres, to be located in a compact body adjoining the 750,000-acre tract, was deeded to the directors, in trust, to be donated in one-hundred-acre tracts to actual settlers. While these negotiations were pending there occurred a financial panic in New York. Colonel Duer failed, and was imprisoned for debt. Royal Flint also failed. The contract for the sale of the forfeited shares was surrendered and cancelled. An earnest effort was made by the directors of the Ohio company who were or had been parties to the Scioto purchase to have the donation tract located so as to include Gallipolis. In this they failed, and, in fact, it was secured at all only by the casting vote of Vice-President John

Adams in the United States senate. Gallipolis was included in the 750,000-acre tract, the boundaries of which were fixed by the law of congress and became at once the property of the share-holders of the Ohio company. The donation tract was located on the waters of the Muskingum where the Ohio company had already promised land to men who were performing military duty in its behalf.

The news of the failure of Colonel Duer, and of the fact that they were occupying lands actually owned by the Ohio company, were crushing blows to the inhabitants of Gallipolis. They knew nothing of the long story of Colonel Duer's embarrassments. They only knew that they were far away from their native land, confronted by a savage foe, homeless, friendless, and that some one was to blame.

In the fall of 1793 M. Jean Gabriel Gervaise went to Philadelphia, and placed the interests of himself and others of the residents of Gallipolis, who had purchased lands of the French society of the Scioto, in the hands of Peter Stephen Duponceau, a Frenchman by birth and a lawyer of high standing. Mr. Duponceau prepared a petition to the congress of the United States asking for a grant of lands to the French settlers, and offering in their behalf to cede to the United States their claims against the Scioto or Ohio companies, if the prayer of the petition was granted. The petition was referred to the attorney-general, William Bradford, by the senate, with instructions to report upon the validity of the claims of the petitioners against the Scioto or Ohio companies or other persons, and for the means to be pursued for the obtainment of justice.

On the 24th of March, 1794, the attorney-general communicated an opinion to the senate that the original right of purchase of the entire tract included in both the Ohio company and Scioto contracts was, in his judgment, in the Ohio company, citing in support of the opinion that that company had, October 4, 1788, passed a resolution to the effect "that their right of preëmption of the whole land mentioned in the resolve of congress cannot be justly called in question," and that if it could be shown that the Ohio company was a party to the sale in Europe it could not successfully impeach the title of the settlers. He also stated that he had been informed that the Ohio company had sold to William Duer and associates 100,000 acres of land, including the site of Gallipolis and the tract originally pointed out to the French settlers; that, though the deed had since been delivered up and cancelled, yet persons who had seen it declared it was an absolute conveyance. Assuming these statements to be correct, it was his opinion that the French settlers at Gallipolis had a valid, equitable title to the settlement, and to locate their purchases within the bounds

of the 100,000-acre tract conveyed to William Duer and associates. The attorney-general added, however, that there was reason to believe that the Ohio company could not be considered a party to the sales in Europe, and that if it was not, and the deed to 100,000 acres to Duer was not such as to convey any title until the payment of the purchase money, then the French settlers had no remedy but by action at law against the parties who gave them deeds.

If the facts had been before the attorney-general when he prepared his opinion he would have been convinced that the Ohio company had not and could not have any interest in the Scioto purchase at the time the contracts were made. Its "articles of agreement" provided that its funds should "not exceed \$1,000,000 in continental specie certificates," and that the whole fund should be applied to the purchase of so much land as its funds would pay for and no more, and its contracts were so made. These articles were printed, were made a part of the petition presented by its agents to congress, were read in full on the floor of the house by Mr. Holton of Massachusetts while its petition was pending, and a copy was placed on the desk of each member.

The members of the board of treasury were fully aware of the intention of Messrs. Cutler and Sargent to make two distinct purchases, and accepted the authority of the law as ample. The Ohio company in a full meeting ratified the acts of its agents. The loan made by Colonel Duer, which enabled the Ohio company to make its first payment, was full compensation to it for the services rendered by its agents in securing the Scioto purchase. At no regular meeting of the directors and agents of the Ohio company was any claim ever made to any right in the Scioto purchase. The resolution referred to by the attorney-general was passed at an informal meeting held by a minority of dissatisfied shareholders upon an incorrect statement of the facts of the purchase. As has been shown, the contract of sale made to the Scioto associates by the Ohio company, under which the French settlers were assigned houses and lands at Gallipolis, was not a deed conveying an absolute title, but a sale to them of the shares in the Ohio company forfeited for non-payment. The Scioto associates acquired the same rights as the original subscribers.

In May, 1794, the United States senate passed an order summoning the directors of the Ohio company to appear before it and show cause why so much of the tract of 750,000 acres deeded to it in 1792 as was sufficient to satisfy the claims of the French settlers should not be forfeited. The directors on receiving the order held a meeting and passed the following resolution: "Resolved, That a particular statement of facts

relative to the matter referred to in said order of the senate be made out and transmitted to the Hon. Caleb Strong, Theodore Foster, and Jona Trumbull, Esquires, members of the senate, and Hon. Benjamin Bourn, Uriah Tracy, and Dwight Foster, Esquires, members of the assembly, in congress, in order for the better information of congress and others whom it may concern. There is great reason to believe that the business has been grossly misrepresented, either through ignorance or a malicious design to injure the company's interest.

Furthermore, Resolved, That in our opinion the interest of the company may eventually be much promoted by appointing the aforesaid six gentlemen agents for the directors of the Ohio company, they or any two of them to act and transact all matters and things relative to the aforesaid order of the senate of the 18th of May, 1794, awarding to their best discretion in as full and ample a manner as the directors of the Ohio company might or could do were they present; and that a power be made out and executed accordingly." By the advice of these members no response was made to the order of the senate. It was a matter over which it had no jurisdiction. The senate took no further action.

In January, 1795, the survey of the Ohio company donation tract was completed and offered free in lots of one hundred acres to each settler. Notice by public advertisement was given to the "French settlers at Gallipolis, with all others at that place, to come forward by associations or individually and receive lands if they please."

In March, 1795, congress, in consequence of Mr. Duponceau's petition, passed an act granting 24,000 acres of land in what is now Scioto county, Ohio, to the French settlers over eighteen years of age, who would be in Gallipolis on November 1 following. Four thousand acres of this was given to M. Gervaise, being the amount he had originally purchased from the French society of the Scioto, and the remainder was divided equally among ninety-two persons, each receiving 217½ acres.

In December, 1795, the shareholders of the Ohio company held a meeting in Marietta to make a final division of its lands and other property. The citizens of Gallipolis presented to them a petition asking that a town site be given to the settlers. This was refused, but fractional sections, twenty-eight and thirty-four in town three, range fourteen, including all improvements, were sold to them at \$1.25 per acre.

CINCINNATI, OHIO, October, 1889.

E. L. Dames

PRIVATE CONTRACT PROVISION IN ORDINANCE OF 1787

HOW CAME IT THERE?

As there is no clause of similar import to be found in any of the early constitutions of the several states, it is a matter of some historical interest to inquire whether there was any special reason for its introduction into the organic law of the territory northwest of the river Ohio. The clause is in the following words: "And in the just preservation of rights and property, it is understood and declared that no law ought ever to be made or have force in said territory that shall in any manner whatever interfere with or affect private contracts or engagements *bona fide* and without fraud previously formed." The object is seen to be the "just preservation of rights and property" in said territory.

What kinds of "rights and property" were at that particular time under consideration that would be the subjects of "private contracts"? It is well known that the attention of congress was called at that time to a large sale of land. Land constituted the only kind of property which was *then* liable to be bought under "private contracts." The parties engaged in that purchase of lands were consequently more directly interested in such a provision than any others. Is it probable that congress was influenced by their wishes and interests?

That the originators of the land purchase had previously given the matter attention is evident from the manner of their dealing with it, and the reasons why they preferred a private to a public contract for lands. At a meeting of the Ohio company, held at Brackett's tavern, March 8, 1787, "It was unanimously resolved, that three directors should be appointed for the company, and that it should be their duty immediately to make application to the honorable congress for a *private purchase of lands*, and under such descriptions as they shall deem adequate for the purposes of the company."

On the 16th of March Manasseh Cutler (one of the trustees appointed for the above purpose) wrote as follows to Hon. Nathan Dane, at that time one of the Massachusetts delegates in the continental congress: "The trustees entertain hopes that congress, notwithstanding this land ordinance, will not refuse to make a private sale to this company, as it will greatly accelerate the settlement, save the company a large expense,

and enable them to purchase the whole in one body." We are thus presented with the plan and intention of the company to make a *private purchase* of land. But why a private purchase? It is evident that they wished to avoid the terms of sale as fixed by the land ordinance of May 20, 1785, as D. Cutler says they hope that "notwithstanding this land ordinance they will not refuse to make a private sale."

Now, what were the terms of the land ordinance which were in their way? Briefly, as follows: 1st. After being surveyed and platted by the general government, the different townships were divided up by lot among the several states. 2d. The ranges would only be sold out by offering alternately a full township and the next one in sections. 3d. The sales were at public vendue, after due notice of time and place.* Congress had therefore adopted the system of *public sales*, while the Ohio company wanted to negotiate for a *private purchase*; this for the reason stated, that they would have their land *in one body*.

When the Ohio company appeared before congress they asked that the law then in force should be ignored or set aside, so that they might acquire lands by a "*private contract*" instead of at a public sale. The above provisions of the law of May 20, 1785, were in force at the time the purchase of the Ohio company was made, and remained so until July 9, 1788, when they were repealed.

It would seem that it was a very proper precaution for the just preservation of rights and property that no law should have force in that territory that could invalidate "private contracts." Whether this irregularity of congress in violating their own laws by making a large "private contract" in the face of the lawful provisions for "public vendue" was the occasion for protecting "rights and property" in the territory, or not, it is evident from the following extract from a letter written by R. H. Lee to General Washington, dated July 15, 1787, that the "sale of lands" was the occasion for a "strong-toned" government, and for the "right of property to be clearly defined." He says: "I have the honor to enclose to you an ordinance that we have just passed in congress for establishing a temporary government beyond the Ohio as a measure preparatory to the sale of lands. It seems necessary for the security of property among uninformed and perhaps licentious people, as the greater part of them who go there are, that a strong-toned government should exist, and that the right of property be clearly defined."

Now, if we accord to the managers of the Ohio company that degree of intelligence and business capacity which was requisite for a successful

* *Life Rev. M. Cutler*, Vol. I., p. 191.

performance of their duties, it would seem to be a natural result that a provision so clearly calculated to protect their interests would have received their attention and have been inserted at their instance. That their agent regarded the transaction as a *private contract* is evident from his entry in his journal, October 27, 1787, at the time he paid \$500,000 to the United States on the purchase. He speaks of it as the "greatest private contract ever made in America." *

But there are other considerations that may be presumed to have had weight with the Ohio company. By their articles of association, adopted March 3, 1786, it was provided that in any purchase that should be made of land the fee was to pass from the government into the trustees. Then it was provided that individual shareholders might select agents to whom deeds of lands were to be made by the trustees—then the agents to the shareholders.

In this way there was provision for three private contracts: 1st. As between the government and the trustees. 2d. Between the trustees and agents. 3d. As between the agents and individual shareholders. In addition to this system of transfer of title, bonds and obligations were entered into between the directors and agents jointly and severally, and between the agents and the shareholders, conditioned upon the faithful performance of their several duties. This manner of managing the large real estate that fell to the disposal of the company was a system of "private contracts or engagements," upon the validity of which would depend the "just preservation" of their "property" to themselves and to all future owners. The perfect order and regularity of the proceedings of the company, as shown by their journals and voluminous statements, filed away and still preserved, testify to the care and rigid exactness of their fulfillment of their trust. No shadow of doubt has ever rested upon a title growing out of this system.

It has been claimed that this important provision of the ordinance originated with Mr. Dane. If this were true it is certainly very remarkable that he did not insert it in the ordinance reported on April 26, 1787, as he was a member of the committee making the report. It does not appear there or in the resolutions of April 23, 1784. In fact, it does not appear in any organic law of prior date to July 13, 1787. That Mr. Dane or some other member of congress, in the exercise of his legislative function, performed the duty of writing it out and moving its insertion is beyond doubt. But for the long period that the subject of a government for the western territory was exclusively in the hands of congress, with no outside

* *Life Manasseh Cutler*, Vol. I., p. 326.

person to influence their action, it certainly had not occurred to any of them to propose that service. But the Ohio company came to them with this identical principle as an essential and indisputable part of their plan. They must have a *private contract* or nothing; and, at the instance of their agent, congress ignored their own law and plan of sale by "public vendue" and gave them a *private contract*, that threw around that transaction, as well as all others of the same nature, the sanction of organic law.

After the close of the revolutionary struggle there prevailed a very trying and disturbed condition of affairs among the people generally throughout the country. Business of all kinds had been disarranged by the war, debts had been contracted, money was scarce, paper currency depreciated, taxes heavy—in a word, the great mass of the people were sorely distressed. In Massachusetts this resulted in open insurrection. The same weapons that had gained Independence were now turned against the lawful authorities. It required the strong arm of the state to meet open revolt by force.

These exciting scenes, known as "Shays' Rebellion," were enacted in the immediate neighborhood of the men who were at the same time engaged in the principal enterprise of relief from prevailing distress by the scheme of settlement on the banks of the Muskingum and Ohio. The following extract from Dr. Cutler's journal shows the close contact he was brought into with that disturbed state of affairs: "January 8-13, 1787: Men sent to oppose the insurrection in the western counties of the commonwealth. January 15: Militia company called together in order to get men for opposing the insurrection. I read to the people at 10 o'clock the address from the General Court, and then addressed them on the nature of constitutional government and the present dangerous state of our affairs, and endeavored to point out the consequence of opposition to the laws. January 20: The men marched to Cambridge."

This occurred four months before he was called upon in New York to consider this very subject of a constitutional government, as applicable to his own future home and the homes of the associates for whom he was acting. To him the lesson of the insurrection was vastly important, and he must have been a dull learner if it failed to stimulate his efforts in the direction of a "strong-toned government" and securing pledges for the "just preservation of rights and property."

W. P. Louder

LINCOLN'S RESTORATION POLICY FOR VIRGINIA

THE BROADSIDE—OFFICIAL SUMMONS

Mr. Stiles' admirable paper with the above title, published in the September number (1889) of the *Magazine of American History*, lacks one fact of importance to make it exhaustive of the subject—the final act in the drama which he so skillfully pictures. That fact I am able to supply in the *official call* to the Virginia legislature to convene in Richmond under the permission given by President Lincoln. I have never seen it in print except in the broadside which I own.

The disordered condition of Virginia immediately following General Lee's surrender made transmission of accurate news somewhat difficult. Governor Smith, Hon. Samuel Price, president of the senate of Virginia, and Hon. Hugh W. Sheffry, speaker of the house of delegates, were at their homes in Virginia and Augusta. From these alone an official call for the meeting of the legislature could issue. As soon as it was possible to authenticate the report of Mr. Lincoln's action and that of the prominent citizens in Richmond, Messrs. Price and Sheffry published the following summons to the senate and the house. It was issued from Staunton *seven days after* Mr. Lincoln's permission had been recalled, of which recall the honorable gentlemen were evidently entirely ignorant.

"WHEREAS, the undersigned have received satisfactory information that with the sanction of the military authorities of the city of Richmond, acting by authority of the President of the United States, a number of members of the general assembly and other prominent and influential citizens of Virginia have requested the general assembly to re-assemble in the city of Richmond on the 25th instant, to take into consideration the condition of the commonwealth, full guarantees of safe conduct and protection having been given by said military authorities to members and officers of the two houses while going to, remaining in, and returning from the city of Richmond, and of free discussion in their legislative deliberations; and,

Whereas, the undersigned have been advised and requested by members of the general assembly, the attorney-general of the commonwealth, and other influential citizens, to summon the members of the general assembly to convene in the city of Richmond at as early a day as practicable:

Now, therefore, We, SAMUEL PRICE, president of the senate, and HUGH W. SHEFFRY, speaker of the house of delegates of Virginia, do respectfully summon the members of the general assembly to re-assemble in the city of Richmond on the 25th instant, in order to resume their legislative duties which were interrupted by the evacuation of the city of Richmond on the 3d of the present month, and to deliberate on such measures for the public safety and welfare as may be brought to their consideration.

Members unable to be present in Richmond on the day above named are requested to attend as promptly as practicable.

Given under our hands this twentieth day of April, 1865.

SAMUEL PRICE,

President of the Senate.

HUGH W. SHEFFRY,

Speaker of the House of Delegates."

This broadside was printed at Staunton, the home of Judge Sheffry. Located there at the time with other Confederate soldiers not included in the surrender at Appomattox, I remember distinctly the bright hopes excited in our hearts by this action. I think that the copy of the broadside in my possession was handed to me by my friend, the late Judge Sheffry.

Horace Edwin Hayden

WILKESBARRE, PENNSYLVANIA.

JOSEPH HAWLEY, THE NORTHAMPTON STATESMAN

HIS ADDRESS TO THE MINUTE-MEN

One of the ablest and most eloquent advocates of American liberty throughout his entire official career, and distinguished among the leaders of the American Revolution for foresight, sagacity, and purity of character, was Major Joseph Hawley of Northampton, Massachusetts. He was born in 1723, was graduated from Yale in 1742, studied theology and preached for some time, and was chaplain to the expedition against Louisburg in 1745. On his return he changed his profession for the law, studying with General Lyman of Suffield, and in 1749 commenced practice at Northampton. He was descended from men celebrated for learning and courage—from Warham, the first minister of Windsor; from Rev. Solomon Stoddard, the second minister of Northampton; and from Marshall, the valiant captain who was killed by the Indians during the assault at Fort Narragansett. His grandfather, Joseph Hawley of Roxbury, was among the graduates of Harvard in 1674, in a class of three, and removing to Northampton long served that town as representative and judge. His eldest son Joseph married Rebecca Stoddard, and they were the parents of the subject of this paper. The lady's sister Esther was the mother of Jonathan Edwards, another sister, Eunice Mather Williams, was killed by the Indians at Deerfield, and their brother, Colonel Stoddard, was a man of importance in the county. Major Hawley soon became the most distinguished counselor in western Massachusetts. His learning was profound and his eloquence impressive. "Many men," said President Dwight, "have spoken with more elegance and grace. I have never heard one speak with more force. His mind, like his eloquence, was grave, austere, powerful." Moreover, in public as well as in private life, he was conscientious to a fault, never engaging in any cause unless he was convinced of its justice, and scrupulously returning fees that seemed to him larger than he deserved. In the controversy between Jonathan Edwards and his church Major Hawley was one of his cousin's most active opponents. When the council of ministers met in 1751 to deliberate concerning Mr. Edwards's dismissal, Major Hawley went to the house in which the meetings were held and stood a long time at an open window listening to the debate. At length, overcome with excitement, he leaped

through the window and made a violent harangue against Edwards that lasted for an hour and a half. Hawley soon repented of this, and nine years later made a public confession of his mistake. He said in his confession: "In the course of that melancholy contention I now see that I was very much influenced by vast pride, self-sufficiency, ambition, and vanity, . . . and do in review whereof abhor myself and repent sorely."

Hawley's moral courage in making this confession added greatly to his popularity. In 1752 he married Mercy Lyman, the wife to whom he wrote a great many beautiful letters still extant, and who survived him twenty years. In 1754 when in Boston, engaged in "the most important affairs of the province," he wrote: "Dear child, don't think hard that I tarry so long. I assure you I want to see you as much as you can want to see me, and shall not tarry a minute longer than my duty to God and my country obliges me. I assure you I have the tenderest and most affectionate remembrance of you daily, and the longer I am absent the stronger and more sensible my affection grows."

While thus enjoying success in his chosen profession and happiness in his domestic life, he suddenly suffered a terrible loss. This was the death of his only brother, the amiable Captain Elisha Hawley, who was killed near Lake George in the "bloody morning scout." When the king and parliament began their encroachments upon the rights of the colonies, Hawley brought all his ability to the defense of those rights. He undertook the defense of the Hampshire county rioters indicted for resisting the Stamp Act. His skillful management of this case, though called by Hutchinson "strong, unwarrantable conduct," was successful. Elected in 1766 to the provincial assembly, he was for ten years one of its most influential members. Though repeatedly chosen counselor to the governor of Massachusetts, he declined to serve. In his first session he electrified the assembly by asserting, "The parliament of Great Britain has no right to legislate for us." For this bold statement of a doctrine as yet new in American legislative halls, James Otis, bowing, thanked him, and said: "He has gone further than I have as yet done in this house."

It is said that no measure in the assembly was ever carried against Major Hawley's wishes. Hutchinson writes: "He was more attended to in the house than any of the leaders, but less active out of it; he was equally and perhaps more attended to than Samuel Adams. Mr. Adams was more assiduous, and very politicly proposed such measures only as he was well assured Mr. Hawley would join in."

"So critical was the state of affairs," wrote John Adams in his diary, "that Samuel Adams, John Hancock, and Thomas Cushing and all their

friends and associates could carry no question upon legal and constitutional subjects in the house without the countenance, concurrence, and support of Major Hawley."

In 1767 Hutchinson, though not re-elected to the council, attended as usual its first session. The assembly loudly protested against the intrusion. "This," says Hutchinson, "was illiberal treatment of the lieutenant-governor; it was brought into the house by Mr. Hawley, a lawyer of distinguished character in the county of Hampshire, but of strong resentment." Hutchinson had excited this resentment, when chief-justice, by his improper treatment of Hawley in one of the courts.

While attending court at Springfield in 1768, Hawley met John Adams. This meeting was the beginning of a friendship that was never broken. Many of Hawley's interesting and valuable letters are contained in the published correspondence of John Adams. From this time Hawley is found serving on committees with both Adamses and concerting with them plans of legal opposition to the king's officers. He was with them on the committee which in 1773 drew up the reply to Governor Hutchinson's speech—a reply that has been pronounced the most elaborate state paper of the Revolution.

During the same year he was a member of the committee of correspondence, and was also one of the commissioners sent to Hartford to settle the boundary between Massachusetts and New York. It is said that "the weight of this business lay upon Mr. Hawley."

On account of the uncertain state of his health, Major Hawley shrank from active service and declined to be a member of the Massachusetts delegation to the first continental congress. His place was filled by his friend John Adams. In a letter written July 25, 1774, Hawley invites the delegates to stop at Northampton in order to confer with him, and, in addition to other good advice, cautions them to treat the delegates from the other colonies with proper respect, as "there is an opinion that the Massachusetts gentlemen, and especially of the town of Boston, *affect to dictate and take the lead in continental measures*, that we are apt, from an inward vanity and self-conceit, to assume big and haughty airs." Later, after Adams reached Philadelphia, Hawley sent him more particular instructions for the delegates. In this paper, entitled "Broken Hints," occurred the sentence, "We must fight if we cannot otherwise free ourselves from British taxation." Hearing this read, Patrick Henry exclaimed, "By God! I am of that man's mind."

Hawley, however, advised delay in beginning hostilities. "There is not," wrote he, "military skill enough. That is improving and must be

encouraged and improved, but will daily increase." "Our salvation," he adds, "depends upon an established persevering union of the colonies."

This same year a company of minute-men, about one hundred in number, was formed at Northampton. There is in existence a yellow manuscript address in Hawley's hand-writing (never before published), from which it appears that he gave the company much sound advice and encouragement. It reads as follows :

ADDRESS TO THE MINUTE-MEN

"When the distress of a Country is acknowledged by all and the Ruin thereof foreboded by many, it is the indispensable duty of the inhabitants to concert such measures as may appear to them to be most conducive to extricate her from her distress and of every individual to lend his aid to put them into execution. That this at present is our situation, I think needs no words to explain ; it is seen, felt, and understood by all, even those that would *pretend* the contrary, their very *actions* show it.*

But the good people of this province, Gentlemen, are not to be deceived, and their firm and united conduct hitherto has baffled the attempts of the most artful hypocrisy. The people have been alarmed, have done as they ought, met, deliberated, & replied ; They have pointed out ways that appeared to them & ought to appear so to us, to be most conducive to the publick good. One of these ways is the institution of the art military, an Institution which if well regulated & vigorously prosecuted cannot fail under the auspices of heaven to save our Country from the encroachments of a foreign power. It is upon this, joined to the valor & virtue of the people that the safety of a country depends. It is incumbent upon the Americans at this time to cultivate them all. Without valor & virtue military discipline will be of little effect, and without military discipline mere virtue & valor will hardly suffice but where they all join they render a people irresistible. It was these joined to the hardihood of the inhabitants that saved the little country of Switzerland whose whole territories are not so large as this province, from the whole power of France and enables them still to maintain their independence in the political system of Europe. Their virtue, valor, & military discipline, form a sufficient barrier to the rights & liberties of their Country, and hold at a distance the most ambitious and enterprising monarchs. The inhabitants of Switzerland have always been free, they have enjoyed their liberties in a very great degree, which has enabled them, upon occasions, to exert their valor & discipline for the safety and defence of their Country when threatened with a foreign yolk, in a manner that cannot be paralleled in the Story of Mankind and which at the time of its performance astonished all Europe. I will mention but one instance, and which is not the most Surprising. At the battle of St. James's a body of twelve hundred Swiss attacked the whole army of France. This little body handled their instruments of death so dexterously and dealt out slaughter and destruction to their enemies so plentifully that for a long time they baffled the utmost efforts of their whole army, but at last, being overpowered by numbers, they were obliged to give way with the loss of 1158 men killed & 30 wounded. The 12 that remained fled home, & such is the nice & delicate sense entertained by the Swiss of their national honor & bravery, that they cannot bear

* The officers of the minute company were Jonathan Allen, captain ; Oliver Lyman, lieutenant ; and Jonathan Stearns, ensign.

that it should receive the least tarnishment, and these twelve unhappy heroes were treated by their Countrymen with infamy for deserting their posts in the Cause of their Country.

Numberless instances might be produced of the valor of this nation, similar to this in every material circumstance, and not only of this nation but of many others. I shall mention but one, whose circumstances & situation were more nearly alike to ours at present than any perhaps that can be found in the history of mankind.

The united provinces of the Netherlands I mean. They were formerly subject to the Crown of Spain; and might have been so always if they had been treated as they deserved. But an aspiring, arbitrary, & ambitious monarch, confirmed in his notions by a set of ministers of like dispositions, conceived the design of arbitrarily imposing taxes upon the inhabitants of his colonies, and sent an army among them for the avowed purpose of putting this infernal plan into execution. The inhabitants were harrassed for a long time, and bore it with as much patience as could be expected but at length, when they began to hang up a few of the popular leaders the people were roused. They saw the precipice upon which they stood & the endeavor of their enemies to hurry them headlong into the gulf of slavery and recollected themselves. They formed a union which has continued ever since & is become formidable, a plan which was universally adopted, measures which were carried into execution, & which preserved their country from impending ruin. They shook off the Spanish yoke & resolved to be free. And it is well known that at this day they outvie every nation in Europe in wealth & commerce, and that it is entirely owing to their success in withstanding the encroachments of arbitrary power, to which if they had tamely submitted, they would now have been but a few petty provinces, half starved and groaning under the shackles of tyranny.

It may be said that the greatest hardships were endured and the greatest calamities were suffered by this people, thus struggling for their liberties, that can be found in the history of mankind, or that the most fertile imagination can paint, hardships that we are unable to endure, and calamities worse than death. But, gentlemen, they were but the price they paid for their liberties, and they were not dear bought neither. By purchasing them at such a rate, they were taught to value them. I think that the Americans are as able to bear hardships as the Europeans are, or ever were. We are descended from ancestors who have endured as many hardships as it is at all probable we ever shall supposing we should be obliged to oppose the combined force of half Europe. Ancestors, who were contented to oppose a formidable army of savages, to undergo all the calamities that heat & cold, hunger & thirst could bring upon the human frame, if they could but enjoy what we are now contending for, liberty. They bore all with cheerfulness and were glad to purchase it at so easy a rate. Some of you, gentlemen, are the descendants of men whose virtue & valor was such as deserve a character to be transmitted to posterity, not unworthy the greatest heroes of antiquity now upon record. But I have no inclination to raise your vanity as if men inherited all the good qualities of their progenitors; or as if valor was hereditary. You will show by your future conduct whether you are worthy to be called the offspring of such worthy men. I would not insinuate by any means that at present you are not, but on the contrary you have given fresh testimonials that you are and I cannot think that you will disgrace yourselves hereafter by a reverse of conduct. Gentlemen, you are sensible that matters are become serious, that we are no longer to be entertained with nothing but mere speculation and conjecture. Some of us must take up arms & defend our country; and as that is generally attended with the greatest hardships & fatigue, those that are young, most coura-

geous, robust & active who are the best able to endure them must compose our armies. Upon you, Gentlemen, this lot falls, as those qualities are most likely to unite in you. You have been chosen by your fellow countrymen for that purpose, to you they have committed the keeping of their liberties, and you must be answerable to God & man if you betray them. You are to form a character & a rank that is to be estimated in the eyes of the world, according to your behavior therein. If you exert yourselves with valor, in preserving the expiring liberties of your country you will be esteemed by all mankind, and even adored by your fellow countrymen, but if you meanly desert the cause, and shamefully give up those liberties that your countrymen entrusted you with, you may expect to be treated by them like the Swiss runaways before mentioned, and by the rest of mankind with contumely.

In order, gentlemen, to discharge this important trust committed to your care it is necessary to be perfectly skilled in the military art.

The troops we have to oppose are all well disciplined & the greatest care taken to keep them so. They are & will be it is probable commanded by officers of the greatest abilities that can be procured for the purpose. And to oppose them it is necessary that we should have troops equally well disciplined and officers of equal abilities & experience. And that such can be procured, I think is not impossible. The good behaviour of the soldiers will give consideration to the officers, and enable them to plan & execute with deliberation & vigor.

In the course of last war we were not without officers of shining characters and distinguished abilities; of tried courage and acknowledged experience. The climate of America, if the talents of men depend upon that, for aught appears, will produce as great geniuses in the military art as that of Europe; other circumstances are more favorable.

But, gentlemen, much depends upon the temper & disposition of ourselves; if we grow fearful, timid and faint-hearted; or if we become dissolute, refractory, & disdain subordination to our officers, it will discourage the most courageous & warlike; deter them from taking the most effectual measures for opposition, baffle all attempts to proceed; render our good cause desperate; and give matter of triumph to our enemies.

There is nothing at present that need make us timorous; everything bears the most favourable aspect; the people are united throughout all America. They are firm and determined to be free. They are united like a band of brothers resolute to maintain their freedom and independency, or die in the common cause together. They consider the case of this province as a common cause; they have declared that they will all support us in our opposition till our grievances are removed.

Let me pause, Gentlemen, for a moment & ask seriously what we want more. We cannot ask our common Father to bestow a greater blessing upon us under such circumstances unless it be to incline the heart of our king & his parliament to remove those grievances which he has in the course of his providence suffered them to bring upon us. This province then must be wanting to herself, the people of this county & this town must be wanting to themselves, if, when they have such assurances from the other colonies, whose fidelity we have no reason to distrust, of their resolutions and determinations to assist us to the last extremity, they don't exert themselves with tenfold alacrity. And you, Gentlemen, what excuse will you have, if you don't endeavor to attain to a degree of perfection in the military art, whereby you may be superior to troops of other colonies in proportion as the distress into which we are thrown is greater than that of theirs.

A good militia, Gentlemen, is the strength & sinews of a state ; it exalteth a nation : but a standing army forbodes the destruction of a state, and is a reproach to any people. A good soldier of the militia is a good character, & in time of danger courted because from him they expect safety.

In order to form good soldiers Strict discipline is necessary, and the soldiers must submit to it either willingly or by force. Those that submit from force will make good soldiers ; but those who submit without, better.

Subordination is the soul of an army ; without it there can be no discipline ; and without that nothing can be executed. This I think you cannot but be sensible of ; to say otherwise would be charging you with insensibility. I hope you are so impressed with a sense of its reasonableness that you will readily come into it. It is no sign of a mean low spirit to submit to good discipline but on the contrary it is a sure sign of a coward to refuse it. You have officers, Gentlemen, that I dare say will endeavor to be masters of their profession, and adorn it by a proper behavior to their soldiers.

They are Gentlemen who have embarked in the common cause, who are determined to act in that station of their profession in which Providence has placed them, at the hazard of their lives and fortunes. They are not men who have received commissions for their own private profit, to make gain ; but they are men who have been called to these offices which they now sustain by your united voice.

They entered upon them at your instance and request, unasked. These are the men you are to submit to, and if you will not obey these whom you have chosen for that purpose, whom will you obey ? As they were chosen by so great a majority, you may depend upon it that they will act with fidelity, they think it incumbent upon them. They will not deceive you by a slighty & faint discharge of their offices. You may depend upon their readiness & punctuality to assist you at all proper times. And they will have nothing more at heart than the good order, discipline & happiness of those under their command. As harmony & a good understanding ought to subsist between military officers & their soldiers ; I dare pledge my life & fortune that your officers will not be wanting in their endeavors to promote & maintain it. An accident lately happened in this town, you are all sensible, that caused much uneasiness among many very sensible persons, and seemed to threaten the very being of y^e Company. But I hope it is likely to subside & that we shall ere long return, to use the words of a noble historian 'to our old good humor & good nature.'

Let us cherish and maintain a forgiving spirit toward all men, especially to those who have embarked in the common cause, and are determined to attend us, on every trying occasion, & in every danger. Let us unite in one indissoluble bond that shall give us consideration & importance & baffle all the attempts of designing men to break us that their keenest malice can suggest, or their disappointed ambition contrive.

The town have taken great pains, been at great expense, at least provided for it, to establish & compleat a minute company. And have in a great measure succeeded.

Endeavors were used to discourage its institution ; and are now continually used to overthrow it ; and you may depend upon it, that no stone will be left unturned for that purpose. The smallest division amongst you, however trifling it may seem, is converted by them into a happy omen of their future success. By widening the breach they hope in time to overthrow you with your own weapons.

Gentlemen, I beg of you to defeat their designs. Nothing is more easy : an union among yourselves will be effectual for the purpose. Maintain that & you will have

nothing to fear. You have had the voice of almost the whole town not merely approving of you, but they have voted you a reward for your services."

After the war began, and orders came for the enlistment of soldiers, Hawley used to appear with a short sword and address the soldiers in the most animated manner, telling them that they would be hewers of wood and drawers of water to British lords and bishops if the great cause did not succeed. Once, when no one would enlist, he turned out himself and followed the drummer; others presently followed his example.

In the first provincial congress which met at Salem, October 7, 1774, Northampton was represented by Seth Pomeroy and Major Hawley. In this and in the succeeding congresses Hawley's labors were unremitting.

He served on committees appointed "to consider the state of the province," "to prepare plans for disciplining the militia," "to correspond with Quebec," "to prepare a letter to congress about Bunker Hill," "to consider what steps are necessary for receiving General Washington with proper respect," "to prepare an address to General Washington," etc.

As vice-president he presided in the absence of the president, General Warren, and from Northampton wrote to Cushing to watch the courts at Boston. "These must be embarrassed; for," wrote Hawley, "if they get a grand jury they will probably obtain indictments of high treason, and indictments will not be procured without a view and respect to arrests and commitments, convictions, hangings, drawings, and quarterings. What your chance will be, I need not tell you." At one time when suffering from one of his attacks of melancholia, despairing of the success of the Revolution, he said to one of the other "river gods," Governor Caleb Strong, "We shall both be hung." "No, Major Hawley," replied Strong, "probably not more than forty will be hung; we shall escape." "I will have you to know," exclaimed Hawley, "that I am one of the first three."

He lived, however, to see his cause triumph. We find him in 1780 raising his voice in the first Massachusetts senate against the exaction of religious tests, and later, in 1782, with ability and tact persuading the rioters to disperse. Contented with his small fortune and frugal life, he passed his last years at Northampton. He died in March, 1788, leaving, among other legacies, a tract of land lying south of Pelham to his beloved town. So greatly was Major Hawley venerated at Northampton, that some one wittily said the people there taught their children to answer the catechism question, "Who made you?" "*God and Major Hawley.*"

His integrity and piety were never questioned. In faith and in life he was a strict Puritan. He was once returning home after a long absence, and was within a few miles of it when the sun set and the Puritan sabbath

began. He stopped where he was and did not finish his journey until after sunset the next day. One Sunday a stranger preaching in the Old Church gave utterance to sentiments and doctrines that Hawley thought dangerous and unscriptural. He ordered the clergyman, therefore, to come down from the pulpit, and taking his place finished the services himself.

Hawley's disinterested course in public affairs silently rebukes the politicians of the present day, selfishly scrambling for place and power. Would that his life might be studied and his character imitated. His friend John Adams called him "one of the best men in the province," and the grandson of his friend, Charles Francis Adams, pays him the following higher tribute:

"Of this remarkable man it is regretted that so few traces remain. Even under the pen of an enemy like Hutchinson his character shines like burnished gold."

Charles Lyman Shaw.

ASTORIA, NEW YORK.

FORT PERROT, WISCONSIN

ESTABLISHED IN 1685 BY NICHOLAS PERROT

Editor of Magazine of American History:

In the September issue of your Magazine, under the heading "Old French Post at Trempeleau, Wisconsin," Mr. T. H. Lewis writes of his explorations in that neighborhood; but as both his first and subsequent visits derive their significance from the intermediate explorations of others to which he alludes, it is to be regretted that he did not mention them more at length.

In the *Archives des Marines* of France there is a manuscript map prepared by Franquelin for Louis XIV. It bears the date 1688. The only explorer who, so far as we know, established posts on the banks of the upper Mississippi previous to the date of the map was the noted Nicholas Perrot whom De La Barre had commissioned commandant of the west. The French narratives indicate that Perrot spent the winter of 1685-86 on the east bank of the Mississippi above the mouth of Black river, and later, probably in the early summer of 1686, built Fort St. Antoine on the same side of the Mississippi above the mouth of the Chippewa, according to Penicant on the shore of Lake Pepin. Franquelin's map clearly indicates the first position by the expression *La butte d Hyvernement*, that is to say, "Wintering Hill." It also shows, less correctly, the position of Fort St. Antoine.

The exact sites of these posts have been, nevertheless, hard to determine on account of the perishable nature of the structures of which they were composed. The historians and antiquarians of this part of the Northwest, like others of their class, have not been slow to conjecture, and the difficulty has stimulated a few of them to explore. The result has been the discovery of the ruins at Trempeleau mountain, the "Wintering Hill;" but final conclusions respecting the actual site of Fort St. Antoine are still in the air.

In the spring of 1887, Judge B. F. Heuston, who is preparing a history of Trempeleau county, Wisconsin, came to me to secure certain historical data. I called his attention to Franquelin's map, and suggested the possibility of finding the site of the post at Trempeleau. He was much interested; but the sequel is best described in the two following letters, pub-

lished respectively in the Minneapolis *Evening Journal* and the St. Paul *Pioneer Press*:

"WINONA, April 21.—The search for the ruins of Perrot's fort near Trempeleau, Wisconsin, attracted many people there this week. The scientific members of the party were the guests of Judge Newman, and included Judge Heuston, W. A. Finkelnburg, and Professor J. M. Holzinger of Winona; R. G. Thwaites, secretary of the Wisconsin Historical Society, and Mr. C. Leith, clerk of public printing at Madison. The place for examination was one suggested by Professor Kirk as the locality of the fort which Mr. Nicholas Perrot established in 1685 in connection with his trading post. He was sent out by the Canadian government to make treaties with the Indians. The exact spot is one mile above Trempeleau, and in excavating for the road-bed two fireplaces were cut out. The party dug out, from one to two feet under ground, four fireplaces made of crude stones on three sides. The size of the ground on which the fort was probably located is sixty feet square."

"WINONA, Special, April 21.—The works of the old writers made it pretty clear that the fort of Perrot should be looked for near Trempeleau. Late last fall, Judge Heuston, accompanied by George Squier and the brothers Antoin and Paul Grignon, Canadians, and old residents of Trempeleau, went about a mile up the river to near Trempeleau mountain, looking for the signs of the lost fort. Proceeding to lay open some rocks that showed marks of fire, they soon came upon what was unmistakably a fireplace. This had a paved bottom surrounded on three sides by rude flag-stones, probably picked up on the bluffs, and contained ashes, and showed remains of wood. Since then the Wisconsin Historical Society has addressed inquiries to Judge Heuston concerning the probable location of Fort Perrot. This led to the exploring expedition of last Wednesday, April 18, under the zealous management of Judge Heuston. Trempeleau mountain was reached by the Burlington railroad bridge. At the foot of this mountain flint chips were picked up, showing that there was here formerly a flint arrow factory. The party hastened to the historic spot, a mile above the village, close to the Burlington railroad track, where a large concourse of villagers, armed with pointed rods, spades, shovels, pickaxes, and a photographic outfit, were anxiously awaiting its coming. Soon a companion to the fireplace laid open last fall was unearthed, about sixty feet to the east and facing it. Both of these are only a little over a rod from the Burlington track. Not quite midway between these two fireplaces, and a little to the south, was found a third one. This faced south. About thirty-five feet to the south of this, and therefore on the

south side of the track, was found a fourth fireplace, larger, or at least fuller of ashes, than the others, which led to the common supposition that this probably marks the mess room. W. M. Dixon, who helped grade the Burlington railroad track at this place, said that two more such fireplaces were right on the track, and were destroyed by the graders. Judge Newman interrupted the excavations, and introduced to the company Mr. Thwaites of the Historical Society, who briefly gave the history of the long lost fort, and the reasons for looking for it near Trempeleau. The spot where the fireplaces were uncovered was overlaid with earth and sod to a depth of one to two feet. A forest growth had spread over the site of the fort, as is shown by the stump of an oak tree six inches in diameter, grown right out of one fireplace."

J. H. Kirk

FIRST EDITIONS OF THE BIBLE PRINTED IN AMERICA

It is a significant fact, better known to bibliographers than to the public, that neither the Old nor the New Testament was ever printed in English in the British colonies, until after the declaration of independence.

The earliest publication on this continent of any portion of the Scriptures was Eliot's translation of the New Testament into the Natick dialect in 1661; the Old Testament followed in 1663. Twenty years later a second and the last edition was issued. The first edition of this Indian Bible is now valued at \$1,250; the Marquis of Hastings's copy of the second edition sold for \$1,000. The first edition of a Bible in the German language (the first in any European tongue in this country) was printed at Germantown, Pennsylvania, in 1743. Mr. H. E. Luther, a wealthy type-founder of Frankfort, gave the fonts of type in German text from which it was printed. At the Brinley sale a copy was sold for \$350.

In 1777 Robert Aitken, a native of Scotland, who had settled as a printer in Philadelphia, published an edition of the New Testament, the first in the English language with an American imprint. For this breach of privilege and his attachment to the cause of American independence, he was committed to prison. This is a volume of extreme rarity. After his release, the zealous Scot issued an edition of the entire Bible, copied from "that pearl of great price"—the authorized English version. It appeared in 1782, and will always be prized as the first Bible in English ever printed in America. A perfect copy is preserved in the Lenox library. In 1790 editions of the New Testament were issued in New York and New Haven, and in 1791 a folio Bible with fifty copperplates was published at Worcester, the text revised by Dr. Bancroft, father of the historian. An edition for the use of Quakers was printed in New Jersey, and in 1794 the New Testament, without the Old, appeared in Boston.

In 1790 an edition in large quarto of the Douai and Rheims version of the Bible was printed at Philadelphia, and sold for \$6. Charles Carroll of Carrollton headed the subscription list, followed by the names of many of the most distinguished men of the South.

Clement Ferguson

GENERAL GRANT AND THE FRENCH

Mr. Theodore Stanton of Paris, the well-known scholar, has written an able and interesting article for the *Cornell Magazine* under the above title, in which he endeavors to show how little foundation there has ever been for the French prejudice against General Grant which has unfortunately crept into the newspapers, biographical dictionaries, histories, literature, and even the national poetry of France.

Mr. Stanton quotes a number of interesting letters, and a few extracts will be of interest. He says: "I now take up a number of manuscript letters which were written to me some time ago, but have not heretofore been published. It will be noticed that they are from the pens of gentlemen who were closely associated with General Grant both in public affairs and in the intimacy of private life, and several of whom were conspicuous in diplomatic stations during his administration, and participated actively in the diplomatic transactions between the United States on the one hand, and France and Germany on the other, that marked the stormy period covered by the years 1870 and 1871. The statements of such witnesses and their commentaries on the documents that have already been placed before the reader, will show still more conclusively, I think, that General Grant must be exonerated by all fair-minded Frenchmen from the charge of hostility to France.

General Wm. T. Sherman, who was general of the army in 1870, with headquarters at Washington, says: 'General Grant, in common with all Americans, entertained great love and affection for the French nation because of the material aid extended to us during the Revolutionary War, and especially for the gallant youth, of whom Lafayette was the type, who shared the dangers of that war near the person of the father of his country, General Washington. During our civil war, when we were contending for liberty as against slavery, the French Government was chiefly instrumental in establishing an Empire in Mexico with an Austrian prince at its head, backed by a strong army of French troops, commanded by Marshal Bazaine. This General Grant construed as an act of unfriendly interference, if not positive hostility to us, and I have heard him say that our civil war was not over till the French were compelled to leave Mexico. He would have been most willing in 1865 to have turned our victorious armies against Bazaine had not the same end been accomplished by diplomacy. The history of all this is well known in France. General Grant never attributed this act to the French people, but to Louis Napoleon. Therefore, when, in 1870, the French and Germans became involved in war, his sympathies were against Louis Napoleon. But the moment he fell at Sedan that feeling ceased, and thenceforward I cannot recall an act or expression of his but of the kindest nature toward France and her people.'

'When the French and German war took place,' writes the Hon. John Russell

Young, who, it will be remembered, accompanied the ex-president on his tour around the world, 'General Grant held the opinion that it was impossible for France to succeed. Results justified that opinion. General Grant had a strong aversion to the Bonaparte family, especially the first Napoleon. Until the battle of Sedan and the foundation of the republic, his sympathies, as far as I ever heard him express them, were with the Germans—not as against the French, but against the Bonaparte dynasty. After Sedan and the establishment of the republican government, France had no warmer friend than President Grant. My own impression is, from many conversations with General Grant, that any idea in the French mind that he was hostile to that country, or that he wished Germany to triumph over the republic, is a mistake. His dislike was to the Bonaparte family, and that was so intense that when in Paris he would not even visit the Invalides to see the tomb of the emperor, and when the Prince Imperial intimated, through a third person, that he would like to meet General Grant, he declined.'

Thus, while Victor Hugo was refusing to open his door to General Grant, the latter was turning his back on the uncle and the son of him who had sent the former into exile. It is easy to understand why French imperialists should heartily dislike General Grant, but one would think that his pronounced antipathy to the Napoleons would secure him the friendship of every French republican.

The Hon. Hamilton Fish, who was President Grant's Secretary of State during the eight years of the latter's presidency, writes me as follows on this same subject: 'That he had much admiration for Germany and its people is undoubtedly true, but I am very sure that his admiration for France and her people was no less than that for Germany. I never saw or heard from him anything that indicated a preference for one over the other. During the war between the two countries, my interviews and conversation with him on the subject were, necessarily, frequent. He insisted upon the strictest and most impartial, but friendly, neutrality on the part of the United States toward both belligerents. He deeply regretted the outbreak of the war, which he may have thought, as all the world thought, had been precipitated by France. If he had any decided partiality for either of the belligerents, I failed to perceive it. He was, at the time, charged by some of the German residents in this country with an undue leaning toward France, in that France was allowed to purchase arms freely in the United States.'

'If the impression prevails in France that General Grant either hated France or loved Germany,' writes the Hon. J. C. Bancroft Davis, who was Assistant Secretary of State during the war of 1870, 'I am sure it is without cause. General Grant was essentially an American, and so far as concerned his sympathies or affections, they were given without stint to his own land, and nowhere else. As president, he was strictly neutral during the war of 1870-'71. If he erred at all during that period, it was in permitting the sale of surplus government arms to the agents of the French Government, and their shipment to France. Germany, however, did not complain of this, as it was not in reality a violation of a neutral's duties.'

The foregoing letters have dealt in a general way with President Grant's private opinions and public acts concerning Germany and France. Those that follow will treat of a particular incident, and a very important one, in the controversy now under consideration. When I asked the poet-journalist, M. Auguste Vacquerie, the intimate friend of Victor Hugo and one of his literary executors, what message of General Grant's the poet referred to in the *Annee Terrible*, I received this reply: 'The verses you speak of were not written in answer to the Message of February 7, 1871, but to the telegram of felicitation sent to the King of Prussia by General Grant after the disaster of Sedan.' If President Grant had penned letters or telegrams of such tenor, he would richly deserve all the censure he has received in France. But it is a curious instance of the inaccuracy of history that no letters or telegrams of this kind ever existed. These supposed congratulatory communications are always uppermost in the French mind whenever the name of General Grant is mentioned, and, in fact, they have envenomed the controversy.

'It is utter absurdity,' writes ex-Secretary Fish, 'in fact, it borders on idiocy, to suppose that "after each German victory he [General Grant] sent a congratulatory letter to King William." He would have been kept busy had he undertaken to write such letters. Until one such letter is produced, I shall hold to my firm conviction that nothing of the sort ever was written.'

'The only letters that General Grant ever signed, addressed to the King of Prussia or to the Emperor of Germany, so far as my knowledge or belief extends, were the letters in acknowledgment of what are called the "dynastic" letters, addressed by the sovereigns of Europe to other sovereigns or heads of government, announcing births, marriages, deaths, etc., in royal families, or accessions to thrones, etc. I have before me at this moment a copy of the letter of the Emperor announcing his assumption of the title of Emperor. It begins: "William, by the grace of God Emperor of Germany, King of Prussia, etc., to his Excellency the President of the United States of North America. Great and good Friend." It states that the rulers and free cities of Germany having unanimously requested him to assume the title of Emperor at the close of the war, he had considered it his duty to the Fatherland to accept this title for himself and his successors on the throne of Prussia, etc., etc. The letter is dated January 29, 1871, is signed "William," and countersigned "V. Bismarck."

Referring to President Grant's reply, the text of which has already been given, Secretary Fish continues:

'Like all ceremonial letters of the sort, it was signed by General Grant. It differed in no essential respect of style, expression, or otherwise, from the hundreds of letters of the sort that the ceremonies and dynastic relations of the courts of Europe have found necessary, or at least have established. They are ever courteous in expression, and so far as the United States are concerned, our part of the correspondence is responsive, and usually expresses either congratulation or regret, according as is the announcement of the event, and we seek to do so

pleasantly and in a manner acceptable to the party addressed. Such, and such only, was this terrible letter of General Grant to the Emperor William. The telegrams and the letters congratulatory were not—they never existed.'

Speaking of M. Vacquerie's statement, Mr. Fish says, in this same letter: 'I have no recollection of any telegram, or communication of any kind or sort, sent by General Grant to the King of Prussia on the affair at Sedan. I have no idea that there ever was anything of the kind. Possibly M. Hugo's literary executor may be able to give his authority for alleging the existence of such a communication, but I doubt whether there will be found any authority whatever.'

Mr. Chapman Coleman, First Secretary of the American Legation at Berlin, writes me on this same subject as follows: 'It seems incredible to me that General Grant should have sent the telegrams imputed to him to Berlin. Nothing whatever respecting the subject can be found on our files. If any such telegrams were sent, the fact must have been known to the Hon. George Bancroft, then minister at this post. His denial that such had been sent, or even his statement that he had never heard of them while minister here, would, if obtained, I fancy, settle the question.'

Following Mr. Coleman's suggestion, I wrote Mr. Bancroft on the subject. Here is his reply, dated, 'Washington, December 5, 1885. The statement, by whomsoever made, that the late President Grant sent telegrams of felicitation to King William, whenever, in the late war between France and Germany, the Germans gained a victory over the French, is wholly without foundation. I was at the time Minister of the United States in Berlin, and know certainly that no such telegram was received at the office or forwarded through the office. Further, I have called at the State Department here and requested that an examination of the archives might be made relative to the statement, and I have received from the Secretary of State the assurance that there is in the archives of the department no authority for the statement whatever.'

It will have been seen, therefore, that not only Victor Hugo's celebrated 'Message de Grant' has no *raison d'être*, but that there is little, if any, bottom to what French journalists and biographers have said and still say about President Grant's relations with Germany and France. French writers and leaders of opinion are, consequently, in duty bound to revise their hasty judgments, formed in the midst of the smoke and intense excitement of 1870 and 1871, and persisted in ever since, to correct more than one gross misstatement, and thus to remove from a whole nation's mind a groundless, or at least an exaggerated, prejudice against a great citizen of a friendly people.

THEODORE STANTON."

ORIGINAL DOCUMENTS

LETTER TO WASHINGTON FROM CHARLES CARROLL OF CARROLLTON

FROM THE COLLECTION OF DR. THOMAS ADDIS EMMET

[The following letter to President Washington from Charles Carroll of Carrollton, in 1793, declining the President's appointment on account of his delicate health and age, reached us too late for the November issue.—EDITOR.]

ANNAPOLIS, 28th Jan. : 1793.

DEAR SIR—

I received the 25th instant late in the evening, your letter of the 23^d. Early in the morning of the 26th the post left this place, so that I had not sufficient time to make up my mind respecting the acceptance or refusal of the commission mentioned in your letter, nor to inform you by last Saturday's post of my determination.

I have seriously weighed the reasons urged to induce me to accept the trust. I feel their force, and am sensible, that the number of citizens, from which characters in every respect proper for the intended negotiation can be selected, is unfortunately too circumscribed. No one more ardently wishes, than I do, for peace with the hostile Tribes, upon terms not dishonorable to our country. My time I would cheerfully give and I would endeavour to exert what talents I may possess, and should be extremely happy in being instrumental in accomplishing an object of such importance to the United States. But the length and unavoidable difficulties of the journey deter me from undertaking it. The infirmities of age are coming fast upon me; I do not think I could endure the fatigue of so long a journey, part of it thro' the wilderness, without imminent danger to my health. I am very liable to take cold in changing my lodgings, and I never get cold without its affecting my breast, and leaving a troublesome cough, which seldom shakes off for a month or two afterwards; the anxiety too of mind I should experience from the responsibility of the station, & dread of not answering yours and the public expectation & wishes would also greatly contribute to derange my health, & really might disqualify me for the business. I hope these reasons which I have candidly assigned, will justify me, my dear Sir, in your opinion for declining the commission with which you wish to honor me. I am with sentiments of the highest esteem and regard—Dear Sir

Y^r affectionate and most hum: ser^t.,

CHARLES CARROLL OF CARROLLTON

PRESIDENT WASHINGTON.

UNPUBLISHED LETTER FROM GENERAL RICHARD HENRY LEE

[CONTRIBUTED BY REV. HORACE EDWIN HAYDEN]

Chantilly 1st Sept 1790

My dear Sir

I arrived here monday afternoon pretty much fatigued with my Journey—We have sent for a few peaches having none on this plantation this year—The Bearers bring near half a bottle of Tincture of Bark for my dear daughter, and by the time that is used we shall have more prepared for her. Poor little John was taken last night with a fever that continues yet. We have just commenced the course of broken doses of Emetic Tartar which I hope will frequently remove the fever. If you can all come up in the Boat at her return, we shall be very happy to see you. the sugar plums are ready for my dear little Richard.

I am dear sir most obediently

yours

RICHARD HENRY LEE

Corbin Washington Esq

of

Walnut Farm

ORIGINAL LETTER FROM STEPHEN KING, 1780

[The following is an exact copy—spelling, punctuation, etc.—of a letter addressed to my grandfather George King by his brother Stephen, both of whom served in the Revolutionary army under the immediate command of General Washington. History describes George King as follows: "a man of athletic power and courageous patriotic spirit. He was orderly sergeant and clerk of the Raynham (Mass.) company. He, in warning them, rode on horseback with his drummer and fife, through the town, and at every house made proclamation, 'Rally, rally! the British are shooting down Massachusetts men; rally, and drive them out of the country.'"] The letter was sealed with red sealing-wax and directed on the outside to George King, Raynham, Massachusetts. It bears no postmark.

HORATIO KING.

WASHINGTON, D. C.]

West Point June 26th 1780

Loveing Brother I embrace this Oppertunity to let you know that I am in health for which I Desire to thank God hoping you injoy the same I might inform you that the enmy are making the most vigorous Exartion and Tis J orally thought against this Post Janoral Clinton haveing Returned from his Sucsesfull Expadition att the Southard is Determined to Try the Second Expirement in Con-

sequence here of the officers from Capt Down are to Be equiped with a fire arm and acutremints our strength is four pertended Brigades with But a handful of men in Each Besides two or three Regiments of militia our several alarum posts are as follows Janeral poor to occupy fort arnald and the two forts on the island Janeral paterson and late Larnalds fort putnam fort webb and fort williss Cinton Brigade fort number one two and three the militia to hold them Selves in Rediness to go where Janeral macdougale shall think proper the out posts are to have Sixty Days provisions and water I hope if nothing happens Extraordinary I shall have the pleasure of seeing you again and the Rest of fathers family and I should Be very Glad you would Take the trouble of wrighting to me the first oppertunity you have after my greate Regards to you your family if you please and my love and Compliments to father Mother Brothers and Sisters Also to Sergt williams and all friends So I shall Conclude wrighting att this Time So I Remaine your Loveing and Efectionate Brother

STEPHEN KING

To Mr. George King

NOTES

THE EARLIEST BOOKMAKING—Donald G. Mitchell in his new book, *English Lands and Kings, from Celt to Tudor*, recently issued by Charles Scribner's Sons, tells us that: "At the end of the thirteenth century there was no printing; there was no paper, either—as we understand. The art, indeed, of making paper out of pulp did exist at this date with the Oriental nations—perhaps with the Moors in Spain, but not in England. Parchment made from skins was the main material, and books were engrossed laboredly with a pen or stylus. It was most likely a very popular book which came to an edition of fifty or sixty copies within five years of its first appearance; and a good manuscript was so expensive an affair that its purchase was often made a matter to be testified to by subscribing witnesses, as we witness the transfer of a house. A little budget of these manuscripts made a valuable library. When St. Augustine planted his Church in Kent, he brought nine volumes with him as his literary treasure. . . . At the commencement of the fourteenth century there were only four classics in the royal library of Paris, and the same date the library of Oxford university consisted of a few tracts kept in chests under St. Mary's church. . . . Thus in these times a book was a book; some of them cost large sums; the mere transcription into plain black letter or Old English was toilsome, and involved weeks and months of labor; and when it came to illuminated borders, or initials and title-pages with decorative paintings, the labor involved was enor-

mous. There were collectors in those days as now, who took royal freaks for gorgeous missals, and monkish lives were spent in gratifying the whims of such collectors. . . . Even now beautiful *motifs* for decoration on the walls of New York houses are sought from old French or Latin manuscripts of the thirteenth and fourteenth centuries. And where was this work of making books done? There were no book-shops or publishers' houses, but in place of them abbeys or monasteries, each having its *scriptorium*, or writing-room, where, under the vaulted Norman arches and by the dim light of their loop-holes of windows, the work of transcription went on month after month, and year after year. Thus it is recorded that in that old monastery of St. Albans eighty distinct works were transcribed during the reign of Henry VI.; it is mentioned as swift work; and as Henry reigned thirty-nine years, it counts up about two complete MSS. a year."

SILAS WRIGHT—In an interesting paper read before the Oneida Historical Society on the evening of the 28th of October, Rev. Daniel Ballou said: "It was not by bold and daring strides or by sweeping brilliancy that Silas Wright, the governor of New York from 1833 to 1837, made his way to eminence and fame, but by persevering industry and unyielding loyalty to duty as God gave him to understand it. Becoming a citizen of Canton in 1819, he was postmaster in 1820, surrogate in 1821, and during six years he served as justice of the peace, commissioner of deeds, clerk, and

finally postmaster, which office he resigned in 1827, when, as a member of congress, he entered the broad arena of national statesmanship. Besides the civil offices mentioned, he held several positions in the military service. He was a captain of an independent military company in 1822 and was commissioned major of the regiment. Later he was promoted to the command, and in 1827 he was advanced to the rank of brigadier-general. In 1824 he was elected state senator on the issue of permitting the people to elect the presidential electors. He received every vote cast in Canton save his own. He was at that time twenty-nine years of age. As a politician he strove to represent his party's interests, and always kept his character and standing as a citizen above reproach. On the floor of the senate he was clear and well defined in statement, skillful and strong in argument, logical and convincing in debate. His admirers, gratified with his success, nominated him as one of the republican or buck tail candidates for their representative in the twentieth congress in 1826. He was elected over the Clintonian candidate by over five hundred majority. He despised monopolies; opposed all special legislation as wrong in principle. He favored paper currency. As a member of the committee on manufactures, he drew the bill which was substantially the tariff law of 1828. In advocating this measure, he made what at that time was regarded as the ablest speech of his life. His star rose still higher because of his honest integrity and fearless zeal for truth. The citizens of Middlebury, Vermont, complimented him with a pub-

lic dinner, and the tariff bill and the masterly support he gave it made him a national reputation."

THE OLD-TIME HARP AND MODERN FIDDLE—The Episcopal convention of the last few weeks has provoked many comments. The alteration (or proposed alteration) of the old hymns reminded me of an amusing anecdote, which perhaps many of our readers may remember. A chorister proposed to the minister of a certain church to alter the old hymn,

"Oh, may my heart in tune be found,
Like David's harp of solemn sound,"

in this wise,

"Oh, may my heart be tuned within,
Like David's sacred violin."

The minister, who was a bit of a wag, suggested this amendment:

"Oh, may my heart go diddle, diddle,
Like Uncle David's sacred fiddle."

I cannot say which was accepted, but the excruciating instruments which we hear so often Uncle David would not own.

Salem Observer.

MEETING-HOUSE SEATS TWO CENTURIES AGO—Mrs. Cooke, in the *Times and Generations of the Driver Family*, gives some picturesque views of early life and habits in Massachusetts: "The seating of the meeting-house was quite an event, and on the quarterly court files of Salem is thus mentioned: 'In consequence of divers complaints having been made from time to time of disorder in the meeting-house, and believing that the abuses in youth cannot be so easily reformed, unlesse every householder knows his seat in the meeting-house, the selectmen, the twenty-fourth of January, 1651, hereby

order that every householder both men and women shall sit in those seats that are appointed for them during their lives, and not to presse into seats that are full already." Mrs. Cooke also quotes from the records of Haverhill: "In 1708, at a town meeting, thirteen young

women of Haverhill, Massachusetts, were granted permission to build a pew in the hind seat in the east end of the meeting-house gallery, provided they would not build so high as to damnify or hinder the light of them windows at the said east end."

QUERIES.

THE MASSACHUSETTS STAPLE—November 4, 1761, Eleazer and Moses Frary gave a deed of land in Hatfield, Massachusetts, to Salmon Dickinson. The paper bore an embossed stamp one inch in diameter, representing a whale, with the legend "The Massachusetts Staple." Who can give a history of this stamp?

G. S.

DEERFIELD, MASSACHUSETTS.

A FEATHER IN ONE'S CAP—Will some reader of this magazine kindly give me information concerning the origin of the sentence, "A feather in his cap"? Is it an Americanism?

WALTER WHITLOCK

MONTREAL, CANADA.

THE FAMOUS TREATY WITH THE INDIANS—*Editor Magazine of American*

History: Rev. Acrelius in his History of New Sweden gives quite a detailed account of William Penn's two years in America, but does not refer to the famous treaty with the Indians. Does that imply that this glorious incident by critical historians must be relegated to the land of myths and fables, or is Rev. Acrelius a partial writer, trying to detract from the honor of the Quaker by omitting the most conspicuous act of his two years' visit on this continent? Please give the sources by which the story of that treaty is verified.

S. M. HILL

WAHOO, NEBRASKA.

PIN-MONEY—What is the origin of the term "pin-money"? A reply will very greatly oblige

WILLIAM WALLACE

MOBILE, ALABAMA.

REPLIES

ST. JOHN DE CRÉVECŒUR [xxii. 241]
—The following letter of Major-General Pattison, commandant of New York, will throw some light on the alleged patriotism of St. John de Crèveœur and his imprisonment in the year 1779.

W. K.

NEW YORK, July 8, 1779.

Sir:

I have the Honor to acquaint you that pursuant to your Excellency's Orders signify'd to me by Lord Cathcart I took the earliest Occasion of having the Person & Papers of Mr. Hector St. John seiz'd & secured—

He was on Long Island at the time of my receiving Lord Cathcart's Letter, and I sent for him in a manner that could not raise any suspicion of my Intentions towards him; he immediately came to me and I directed the Town Major and my Aid de Camp Captain Adye to attend him to the house of the Revd. Mr. Brown, where he is us'd to reside when he comes to New York; he there opened for their Inspection a large Trunk, which from their Report, contained nothing but some few News Papers, some Garden Seeds & other trifles; he also put into their hands a bundle of Papers, containing certificates &c. relative to his having been imprisoned & otherwise ill used for his Attachment to the Government; they likewise found a small Trunk which he had put into the care of Mr. Brown, which they brought to me, it was opened & examined in my presence, and contained a great Number of Manuscripts, the general Purport of which appear to be a sort of irregular Journal of America, & a State of the Times of some Years back, interspersed with occasional Remarks, Philosophical & Political; the tendency of the latter is to favor the side of Government and to throw Odium on the Proceedings of the Opposite Party, and upon the Tyranny of their Popular Government.—I have therefore ordered the Trunk to be sealed up in my own Presence, to be disposed of, as you shall think proper—I have also sent for some Papers, he mentions to have left in the hands of Mr. Judge Ludlow and Mr. David Colden, Son of the late Lieut. Governor of this Province, on Long Island.

The Account Mr. St. John gives of himself is that he is a native of Caen in Normandy, but came into this Country many years ago and was naturalized; that he first went into the Mercantile Line, but afterwards bought a Farm in Orange County, on which he Settled, but was obliged to quit it about Six Months Ago, & leave his family & property behind, on Account of the Persecution he underwent from his Attachment to Government, & that during his leisure hours he has amused himself with making such literary Observations, as occur'd to him, but which he is convinced will upon Perusal, do him Credit in the opinion of those attached to the King's Government, that he has never kept them secret from those of his Acquaintance who were thus Attached, but took pains & found great Difficulty, whilst amongst the Rebels, to conceal them; that he has submitted many of them to the Perusal of Lieut. Col. Watson of the Guards, who has occasionally made his own Remarks on them, and can vouch for the Nature of the Contents.

Mr. St. John is well known to many of the principal People in this Place, and offers to give any Security, that he may be judged necessary, for his good Behaviour & Appearance.—I have the Honor of enclosing a Letter from Mr. Smith concerning him, & beg to know, if it is your Excellency's Pleasure that he be released from the Provost upon Bail

I have the Honor to be

With Great Respect &c.

JAMES PATTISON

To His Excellency SIR HENRY CLINTON.

—*Collections N. Y. Historical Society, viii. 90.*

SOCIETIES

NEW YORK HISTORICAL SOCIETY— At the stated meeting held on Tuesday evening, November 5, the Hon. John A. King presiding, Mr. George S. Conover of Geneva, New York, presented a copy of his elaborate and valuable work entitled *Kanadesga and Geneva*. This volume is one of five copies prepared by Mr. Conover, containing 890 pages of manuscript and printed material. Mr. J. Pierpont Morgan was appointed a member of the executive committee of the class expiring 1893. The paper of the evening, "The Chaplains of the American Army, from 1775," by Asa Bird Gardiner, LL.D., was one of peculiar interest, and enjoyed by a large and appreciative audience.

THE RHODE ISLAND HISTORICAL SOCIETY began its winter course of fortnightly addresses on the evening of the 29th of October. The president, General Horatio Rogers, introduced as the speaker of the evening Professor James M. Hoppin, D.D., whose paper was entitled "An Old English Chronicle."

It is surprising, he said, how much of interest in English history is to be found lingering in the fen lands in the north of England around the Humber, flat as the scenery of Holland, but varied by the hill towns. Made fastnesses of freedom in times of peril, to these fen lands retreated the inhabitants when threatened. There were the old kingdoms of Northumberland, Mercia, and Essex. The speaker described the old Abbey of Croyland; he was attracted to it, not only because it was the germ of the

Cambridge University, but for other historical and political interests, and because it was the home of Hereward, the subject of Kingsley's romance, the son of Leofric and Lady Godiva. The speaker gave an account of some of the various deeds of Hereward in his brave and patriotic course in resisting the Normans. It seems by the record that plumbing was once the cause of trouble to the abbey, a plumbing-stove being upset on the roof, which was burned. The monkish historian gives an account of the death of William Rufus, in New Forest, which he declares was purely accidental. Furness Abbey was another subject touched upon by the speaker. It stands six miles from Ulverstone, in the Vale of Nightshade. It is now a daintily kept ruin, but was once a lordly establishment, holding in its domain a whole territory, the region about Lake Windermere. The historical interest of the abbey is not so great as that of Croyland. Furness Abbey was one of the three hundred and seventy-six confiscated by Henry VIII., all their property going into the royal strong-box. These great abbeys illustrate for us better than anything else the Norman period in England, when art and letters, and especially architecture, all came from Normandy.

ONEIDA HISTORICAL SOCIETY — A regular meeting of this society was held on the evening of October 28, in the society's room in the city library building. Hon. A. T. Goodwin presided. The Librarian, Dr. M. M. Bagg, and Cor-

responding Secretary Darling reported various gifts to the society's library, which were acknowledged with the usual vote of thanks.

Rev. Daniel Ballou read the paper of the evening, entitled, "Silas Wright, Governor of New York from 1833 to 1837." This was the first of the extended series of papers to be given by prominent men under the auspices of the society during this season, and an appreciative audience listened with close attention. Of the early life of his subject the speaker said: "Silas Wright was graduated from Middlebury College in the summer of 1815, at the age of twenty years. While in college he had maintained a scholastic reputation. Endowed with rare powers of mental acuteness and force, with a resolute will and robust health, together with a calm judgment that rarely failed to serve him, he bore to the threshold of manhood the moral and intellectual culture of the schools and the physical vigor of a strong organism inured to hard labor in agricultural pursuits. At the close of the war of 1812, when the country was in a most perplexing state of political affairs, he entered a law office at Sandy Creek, determined to pursue the profession of law. He was admitted to practice in the supreme court of the state in 1819, at the age of twenty-four years."

THE NEW YORK GENEALOGICAL AND BIOGRAPHICAL SOCIETY began its usual semi-monthly meetings in October. At the two meetings held that month the president of the society, General Wilson, entertained the members, in the absence

of regular speakers, with informal talks upon his genealogical and historical researches in England and Holland during the summer. Among other interesting things he saw an old conveyance which he at first believed to be the original deed of Manhattan Island from the Indians to the Dutch, but which proved, much to his disappointment, to be a deed of land to the Van Rensselaer family, dated 1630. It is not probable that any deed of Manhattan Island was ever given, the transfer having doubtless been made by treaty.

On Friday evening, November 8, Professor H. H. Boyesen of Columbia College lectured before the society on "Our Norse Ancestors." In spite of the stormy evening the meeting was largely attended. Professor Boyesen advocated the theory that the Norsemen were the ancestors of the English or Anglo-Saxon people. Their fervent love of liberty and of free institutions, the similarity of the Norse language with the early English, the fact that the Norse sagas contained the germs of the whole English common law, were some of the arguments advanced in favor of that belief. Translations of portions of the sagas were given.

At the conclusion of the lecture, which was exceedingly interesting, and attentively listened to by the audience, Rev. Dr. Smith moved a vote of thanks to Professor Boyesen. These monthly addresses have become a prominent feature of the society's work, and the list of speakers for the coming winter contains the names of a number of gentlemen eminent in genealogical and historical research.

HISTORIC AND SOCIAL JOTTINGS

The value of books for the literary worker cannot be over-estimated. One of our greatest philosophers has said, "There never was a book so bad by which we might not profit." Recreation is the great promoter of intellectual vigor. Books that simply entertain for an idle hour may unexpectedly furnish food for a series of important studies—as we sometimes find in the fruit we have taken for pleasure the medicine which restores our health. How much more may a good library stimulate thought, and suggest its particular direction! There are many works that cannot be written in the country—the metropolis and its machinery of varied life and its great libraries only can supply the wants of the author. Knowledge navigates the ocean and is constantly on voyages of discovery; it is of perpetual growth and has infinite demands. Taste, on the other hand, has no acquiring faculty; it must remain stationary, like an artificial canal winding through a beautiful country, with its borders confined and its length limited.

The search for knowledge is in itself compensating. The way, as we all know, to almost every other good is filled with thorns; but study is a genuine delight to the scholar from the very beginning of his journey. It opens the door to a thousand avenues of pastime and happiness. Those who are inclined to make discoveries in regard to the whys and wherefores of events will naturally store their minds with history. Facts of themselves are barren, but linked together become a golden chain. Strictly speaking, all knowledge is recorded experience. Memory is but the treasury house of annals. We are all constantly enacting history. In our every-day language we recite history. In a certain sense every individual is a historian. How few persons we meet daily who in talking do not narrate! The talent for story-telling is the birthright of every citizen. History lies at the root of all science and all culture. There has never been a nation or tribe so rude that it has not attempted history in some form, even though it had not arithmetic enough to count time. History has been engraved on stone, wrought into wood and ivory, manufactured from clay, built into pyramids and palaces; written with *quipu*-threads, with feather pictures, and with wampum belts; and preserved in earth mounds, in monumental stone-heaps, in the masterpieces of the old artists, and in the poetry and prose of the centuries.

The most eminent essayists and original thinkers are the most ready to acknowledge their indebtedness to history and to the wisdom that has been hived in books through all the decades of the past. Cicero tells us how his eloquence caught inspiration from a constant study of the Latin and Grecian poetry. Cobbett at eleven read Swift's *Tale of a Tub*, and it produced what he called "a birth of intellect." One of the celebrated historians of the present century dates the first step in a career of brilliant achievements to the reading of *The Scottish Chiefs* at the age of ten. The study of history is absorbing, fascinating; it comforts the lonely, it is a safeguard against lassitude, it drowns grief.

"The greatest genius is the one who consumes the most knowledge and converts it into mind." Thus remarked a well-known American writer, who was quickly reminded of what was said of Robert Southey, that he gave so much time to the minds of other men that he never found time to look into his own. Reading is an art, and, to facilitate its uses, there are many secrets worth knowing. Gibbon says: "We ought not to attend to the order of our books so much as of our thoughts." His theory was that the perusal of a book often gives birth to ideas in no way connected with the subject of which it treats. And he cautioned all readers against dwelling too long upon one line of study or thought.

Among the questions asked of Henry Ward Beecher when he stood before the hostile audience in Philharmonic Hall, Liverpool, October 16, 1863, was: "Can a negro ride in a public vehicle in New York with a white man?" He replied: "There are times when politicians stir up the passions of the lower classes of men and the foreigners, and there are times just on the eve of an election when the prejudice against the colored man is stirred up and excited, in which they will be disturbed in any part of the city; but taking the course of the year throughout, one year after another, there are but one or two of the city horse railroads in which a respectable colored man will be molested in riding through the city. It is only on one railroad that this happened, and it is one which I have, in the pulpit and the press, always held up to severe reproof. At the Fulton Ferry there are two lines of omnibuses, one white and the other blue. I had been accustomed to go in them indifferently; but one day I saw a little paper stuck upon one of them, saying: 'Colored people not allowed to ride in this omnibus.' I instantly got out. There are men who stand at the door of those two omnibus lines, urging passengers into one or the other. I am very well known to all of them, and the next day, when I came to the place, the agent asked: 'Won't you ride, sir?' 'No,' I said, 'I am too much of a negro to ride in that omnibus.' I do not know whether this had any influence, but I do know that after a fortnight's time I had occasion to look in, and the placard was gone. I called the attention of every one I met to that fact, and said to them, 'Don't ride in that omnibus which violates your principles, and my principles, and common decency at the same time.'"

BOOK NOTICES

RECOLLECTIONS OF MISSISSIPPI AND MISSISSIPPIANS. By REUBEN DAVIS. 8vo, pp. 446. Boston and New York: Houghton, Mifflin & Company.

We rarely take up a more thoroughly readable volume than these vivid sketches of early Mississippi life from the pen of Reuben Davis. The country of which he writes was wild and unsettled in his boyhood; there were no laws, no schools, no libraries. He makes his autobiography the central thread upon which he strings thirty-nine chapters of stirring memories of friends and comrades and events. He went to reside in Hamilton, Mississippi, the county seat of Monroe county, on the Tombigbee river, while yet quite young, and commenced the study of medicine. He describes in a very pleasing style the first public ball he ever attended, and the satisfaction with which he put on a swallow-tailed coat of bright blue cloth and brass buttons, buff doeskin trousers, white waistcoat, ruffled shirt, silk stockings, and pumps. He says: "The young ladies were gorgeous. There was a Miss Walker present, a niece of General Winfield Scott, with whom I danced a great deal. I wanted to dance with the beautiful Misses Walton, sisters of the late Mr. Joe Walton; but they had just come home from boarding-school, and were said to be so tremendously accomplished that I was afraid of them." He relates the varied incidents of a journey on horseback to Memphis, where he went when he had finished his studies, hoping to find an opening for practice. "It was then a small town, ugly, dirty, and sickly. Everything pointed to the certainty that in a short time this squalid village must grow to be a great and wealthy city, but I had no confidence in my destiny as one of the builders of it." He finally commenced the practice of medicine in Russellville, but subsequently removed to Fayette Court-House. He describes Vicksburg, "a city set upon the hills," Natchez, Athens, and other notable Mississippi towns, and the worthy men they have produced. In the twenty-second chapter he gives an interesting account of the affairs of the state during the Mexican war, followed by his own observations and adventures in that war. Mr. Davis abandoned medicine for the study of law, and was made judge of the high court of appeals. He was sent to congress from Mississippi, serving from 1857 to 1861, and then he entered the Confederate army as a brigadier-general. His public life was in exciting times, and he has pictured them with a master hand. He cites one incident which occurred on the floor of the house of representatives just before congress adjourned in June, 1858. He says: "Most of

the members were sleeping in their seats, when Grow, a Republican member from Pennsylvania, crossed over from the Republican side of the house to the side of the Democrats. Keitt, from South Carolina, said to him, 'What are you doing on our side?' adding, as he came nearer, '— you, go back to your own seat.' Grow retorted, 'You can't crack your negro-whip over me, sir!' Keitt then struck at him violently. In dodging this blow, Grow got completely to one side, and Keitt fell forward beyond him. As he sprang up, they found themselves back to back, and, though both turned quickly to renew the combat, there was time for me to seize one of them, while some one else got hold of the other."

AN APPEAL TO PHARAOH. The Negro Problem and its Radical Solution. 12mo, pp. 205. New York: Fords, Howard & Hulbert. 1889.

At the present day there is no lack of interest in politics. Every election, local or general, emphasizes the fact that party spirit runs as high as ever; the country divides on lines as clearly defined as ever. Democrats and Republicans range themselves on one side or the other with as much acrimony as they did in 1860; but very few, particularly of the younger generation, who are rapidly grasping the balance of power, realize that the great cause of division between North and South remains very much as it was before negro slavery ceased to exist. "The war settled all that," is the popular cry, and it is fair to suppose that the millions believe in the truth of the saying. There are a great many, however, on both sides of Mason and Dixon's line, who think that the question is not settled, and who believe that the sooner the true state of things is recognized the sooner will the nation become in fact as well as in name a true Union.

It is generally admitted that, setting diplomacy and statecraft aside, slavery—that is to say, the negro—was the cause of the civil war. It is easy to talk about state sovereignty; but when all is said and done, the negro remains, and it is the purpose of the present work to show clearly why and how he remains. It is in vain to protest that such a purpose is "waving the bloody shirt," under a different name. The fact remains that, where negroes are sufficiently numerous to be a large fraction of the population, there the whites are practically "solid" in their political affiliations. Where the Anglo-Saxon race comes in conflict with another race on anything like equal terms, it is destined to rule—"peaceably if it can, forcibly if it must." That is the whole case in a nutshell.

There were not wanting men loyal to the Union who, during the reconstruction period, warned the North that no possible legislation could secure for the negro civil and social equality in the old slave states, but their voices were lost in the popular clamor for negro suffrage. It is too late now to ask, "How could we have managed differently?" We did what we did. The nation remains politically divided on the old lines, with a solidly democratic South, and a North so equally divided between the two great parties that few states can be certainly counted upon by the managers on either side. It is at least encouraging that an effort is at last making to consider the difficulty under its right name. Even at the South, leading men are beginning to recognize the demoralizing effect of retaining power at the cost of falsifying election returns, and are asking one another what can be done. Who shall blame them if, with the fresh recollection of negro supremacy in their minds, they say that, at whatever cost, a return to that condition cannot be endured unless by force of arms.

Honest and patriotic men on both sides are now awaking to the true question at issue, and we congratulate the anonymous author of "An Appeal to Pharaoh" on his forcible presentation of the dilemma.

ENGLISH LANDS, LETTERS, AND KINGS. From Celt to Tudor. By DONALD G. MITCHELL. 12mo, pp. 322. New York: Charles Scribner's Sons. 1889.

This pleasant little volume gives a sort of panoramic view of English literary people, and the ways in which they worked—including no little information about the times in which they lived, and the places where they grew into maturity. Of course, the author passes over a great reach of ground, with long strides and many skipplings; but his aim has not been so much to give definite instruction as to put the reader into such ways and states of thought as will incline him to instruct himself. The book is made up of a series of talks, and it is easy to perceive that the pen that long since gave us *Reveries of a Bachelor* and *Dream Life* has not lost its cunning. The hand that wields it can guide its readers through a waste literary country one day, and delight them with oases of bloom the next. We find the bright thread of balladry glittering in warm colors, we are caught in the meshes of romance, we trip through the centuries with snatches of music all along the route, we loiter among kings and queens and cardinals, read a chapter of "Old Private Letters" (some of which sound as homelike as if written yesterday), and spend delightful half-hours with Francis Bacon, Thomas Hobbes, Marlowe, Ben Jonson, Thomas Lodge, Michael Drayton, Leonard Wright, and others. Of Queen Elizabeth we

read: "She would have been great if she had been a shoemaker's daughter. I do not mean that she would have rode a white horse at Tilbury, and made the nations shake; but she would have bound more shoes, and bound them better, and looked sharper after the affairs of her household than any cobbler's wife in the land. Elizabeth would have made a wonderful post-mistress—a splendid head of a school, with perhaps a little too large use of the ferule; and she would have had her favorites, and shown it: but she would have lifted her pupils' thoughts into a high range of endeavor; she would have made an atmosphere of intellectual endeavor about her."

RUTHERFORD BIRCHARD HAYES, JAMES ABRAM GARFIELD, AND CHESTER ALAN ARTHUR. [Lives of the Presidents.] By WILLIAM O. STODDARD. 12mo, pp. 72. New York: Frederick A. Stokes & Brother. 1889.

The tenth volume, now before us, in the series of popular biographical sketches of the country's presidents, is one of the best yet issued. Mr. Stoddard writes with ease, and he has made himself so familiar with his subjects as to be able to condense a story without depriving it of its force, interest, or essential points. He tells the intelligent young reader in brief the facts most desirable to know and fully understand. The war experiences of Mr. Hayes form one of the excellent features of the book, and the congressional career of James A. Garfield another. The account of the inauguration and assassination of President Garfield is recited with much feeling; and no boy will close the volume without respecting his successor in the presidency, Chester A. Arthur, for the dignity, delicacy, and tact with which he bore himself while the suffering President grew dearer and dearer to his people, as they read of his heroic patience both morning and evening, and his distressing death.

THE DRIVER FAMILY. A Genealogical Memoir of the Descendants of Robert and Phebe Driver of Lynn, Massachusetts. With an Appendix containing twenty-three allied families. 1592-1827. Compiled by a Descendant, HARRIET RUTH (WATERS) COOKE. 8vo, pp. 531. New York, 1889. Printed for the Author by John Wilson & Son. Limited edition. Price, \$3.00.

Mrs. Cooke has made an exceedingly valuable contribution to the biographical and genealogical treasures of the country. In this handsome

volume of upward of five hundred pages, which has involved several years of persistent and careful study, we find not only an exhaustive history of the Driver family in the different generations, but of twenty-three other allied families, of whom are the Webbs, Herricks, Flints, Derbys, Archers, Metcalfs, Beckfords, and Neals. The book is much more than a genealogy: it embraces a vast amount of entertaining and valuable historic information. The opening chapter is devoted to a sketch of the Driver family in Europe; and the author tells us that Norfolk, England, is still the ancestral home of the Drivers, who, in appearance, features, habits, and temperament resemble to a marked degree those scattered through America. The first of the name in this country was Robert Driver, one of the founders of Lynn, Massachusetts, who was born in England about 1592. Mrs. Cooke in her researches has found interesting data concerning the times, which she has deftly woven into her biographical sketches, giving life and animation to every page. The houses of the first colonists are described; we learn that they were whitewashed with lime manufactured by burning clam-shells, and that "the fireplaces were constructed so as to admit a four-foot log, and had seats in the corners called forms, where, when seated, by looking up, the stars could be seen." Pen pictures are given of the quaint old meeting-houses, of the going to church on horseback, the wife riding on a pillion behind her husband, and of the dinners in the churchyard between services, from baskets and tin pails. Sleeping in church was a high crime, apparently, for Mrs. Cooke has found on record: "One Roger Scott presented at court, February, 1643, 'for common sleeping at the public exercise upon the Lord's day, and for striking him that waked him.' Again, August 4, 1646, Mr. Thomas Dexter (the richest man in Lynn) was presented at the Quarterly Court 'for a common sleeper' in meeting for public worship, and 'fined.'" We learn of the iron works in Lynn, "commenced in 1643 by John Winthrop the younger, for making scythe-blades, axes, hoes, plows, hammers, and every kind of tool and instrument used by the colonists in agriculture or building." And of the prohibition of the wearing of lace, silk, or jewels, of long hair and short sleeves, and of many other matters with which readers of the present are unfamiliar. The work ends with an appendix containing, among other choice items of information, the names in full of the five hundred companies of William in the Conquest of England in 1066, as found on the roll in the church of Dives, Normandy; a companion record to that of Battle Abbey, with this difference, that the latter is the roll of those who actually fought at Hastings, while the one at Dives is of those who assembled for the expedition. The volume has also a good index.

THE STORY OF BOSTON. A Study of Independency. By ARTHUR GILMAN, M.A. [Great Cities of the Republic.] 12mo, pp. 507. New York and London: G. P. Putnam's Sons. 1889.

Boston is one of those historic places of which the world is not likely to hear too much. It has been more written about probably than any other city on this continent, and yet there is always room for something fresh and attractive to appear in connection with its annals. It is no matter of wonder that the foreign tourist should have asked if "Massachusetts was simply a suburb of Boston?" The town in early times was concerned in every affair of moment which concerned the province in general, and there came a memorable day when it stirred all the provinces into commotion. The book before us is admirably written, and the illustrations are much more praiseworthy than in any of the volumes of the series hitherto published. "The Old State-House in 1801," "The Interior of Christ Church," and the "Old South Church in its Present Condition" are notably good. The volume also contains some useful and interesting maps. The author has handled his rich material with singular felicity, so much so that the narrative flows on from the beginning in a clear, steady stream—from the memorable 26th of August, 1629, on which day the decision was taken that determined the settlement of the town of Boston, to the present decade. Of course, the space given to modern Boston is extremely limited. Early history is the chief attraction throughout the work, and no chapter is more interesting than that entitled "The Times of the Mather's." Richard Mather, the "mighty man," came to America in 1635, and was found to be as learned in the Scriptures and in the classics as his fame promised. "His voice was 'loud and big,' and he uttered his words with a 'deliberate vehemency,' which, in the language of the day, 'procured unto his ministry an awful and very taking majesty.'" Cotton Mather, later on, "bemoaned the increase of vice, the great number of drinking-houses, and the advent of fortune-tellers, and warned his fellow-citizens that Port Royal, in Jamaica, was 'swallowed up the other day in a stupendous earthquake,' and that, just before that catastrophe, 'the people were violently and scandalously set upon going to fortune-tellers upon all occasions.'" One cannot turn a page of the book without finding delightfully pleasant and instructive reading. It is the story of a community as told in the lives of its inhabitants; and as a record of civic development there is no more important feature anywhere in history for the intelligent American citizen to fully understand than the events which have characterized and made famous the city of Boston.

MICHIGAN PIONEER COLLECTIONS.

Vols. xii. and xiii. Historical Collections and Researches made by the Pioneer and Historical Society of the State of Michigan. 8vo., pp. 711 and 655. Thorp & Godfrey, State Printers, Lansing, Michigan.

The historic material which forms the first of these two volumes is very rich, consisting of an installment of the papers from the Canadian archives at Ottawa, and copies of documents in possession of the old Historical Society at Detroit. The thirteenth volume comprises the proceedings of the annual meeting of 1888, with the valuable papers read on that occasion, and other articles of a miscellaneous character. A contribution by George H. White of Grand Rapids, of "A Sketch of Lucius Lyon, one of the First Senators from Michigan," and a series of short papers by A. D. P. Van Buren, on "Some Unique Characters," may be mentioned as of special interest. Dr. Isaac Lamborn is described by Mr. Van Buren as a Quaker-garbed, small-sized man, mounted on an Arabian horse, riding over the country—a man without kith or kin, an odd compound of vast learning, shrewdness, conceit, love of argument, etc. In a political speech at Battle Creek, during the exciting political campaign of 1844, he said: "Fel-low cit-i-zens! I come among you, a Christ-ian, pat-riot, and schol-ar. Really, there are but three great men in America—Daniel Webster is one, Henry Clay is another, and the third modesty forbids me to mention!" Many anecdotes are related of this eccentric character, whom everybody knew within a wide region of country.

THE STORY OF VERMONT. By JOHN L.

HEATON. [The Story of the States Series.]

Illustrations by L. J. Bridgeman. 8vo., pp.

319. Boston: D. Lothrop & Company. 1889.

Mr. Heaton has produced a graphic, descriptive narrative of the rise and development of Vermont, the fourth volume in the series edited by Elbridge S. Brooks. Until this work appeared, there had been no history of the Green Mountain state written in forty years. It was the fourteenth state in the Union; that is, the first state admitted after the establishment of

government. The early wars and forays furnish picturesque situations for the author's clever pen, and, to those who are not familiar with the scenes connected with the first explorations and settlements in that northern wilderness, the story reads like fiction. The boundary disputes at a later period rendered the region famous, over which the author of this volume passes lightly; but the part taken by Vermont in the American Revolution forms a bright chapter for the appreciative reader. The log cabin period, the buildings of the state, the first churches, schools, newspapers, and libraries, and the part taken by Vermont in the war of 1812 and in the late civil war, are all vividly pictured in this volume. The temperance reform in 1844 and the "anti-slavery crusade" are treated with commendable fullness. It was in the year 1828 that William Lloyd Garrison appeared in Bennington, and assumed the editorship of the *Journal of the Times*, stipulating that he should be free to advocate the temperance and anti-slavery causes, as well as the politics of the Whig party, and moral reform. His paper, however, was short-lived, and Garrison went elsewhere to finish his career of suffering and achievement. It is rarely that historic narrative is condensed into better form, or the evolution of a state traced in so brief a space, with more satisfactory results. The book is well illustrated with views and maps, and a most valuable epitome of events is furnished in an appendix.

THE LOST DISPATCH. 16mo, pp. 115.

Galesburg Printing and Publishing Company: Galesburg, Illinois, 1889.

This little book has created a marked sensation the country through. It is a contribution to the literature of our late civil war, and its author desires to remain unknown. All persons connected with the narrative appear in the volume under strictly fictitious names, but there are many prominent army officers who feel pretty well assured that they have recognized them. The narrative deals with a much disputed incident of the war, and it is written with spirit. In a clear, terse, flowing style, holding the interest of the reader from the first page to the last. We should like to know more about that bit of paper, that "Lost Dispatch."

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